Rare section

ACCOUNTS AND PAPERS,

RELATING TO

THE EAST INDIA COMPANY'S ANNUAL REVENUES;
HINDOO INFANTICIDE AND HINDOO WIDOWS

ALSO,

DEMERARA MISSIONARY;
COLONIAL ACTS RELATING TO SLAVES;
&c.

Session
3 *February* - - to - - 25 *June*,
1824.

VOL. XXIII.

THIS BOOK

IS TO BE PRESERVED IN

THE OFFICE OF

HIS MAJESTY'S

CHANCELLOR OF THE EXCHEQUER

FOR IRELAND.

1824.

V2, L·L5
~~V2, L:~~ 8. L5t
A 824
v·23

ACCOUNTS AND PAPERS,

RELATING TO THE

EAST INDIA COMPANY;

AND OTHER MATTERS.

CONTENTS OF VOLUME XXIII.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Paper; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes done up for The House of Commons.*

No.		MS. paging.
✓ 346.—	**East-India** Company's Annual Revenues, for 3 years - - -	1
✓ 460.—	- - - D° - - - Annual Accounts made up to the 1st day of May 1824	73
✓ 308.—	- - - D° - - - Tea Trade, six Accounts relating to - - -	83
✓ 476.—	- - - D° - - - Proceedings relative to Abatements made to the owners of ships in the service of the Company - -	93
NR 479.—	- - - D° - - - Malacca, annual revenue and public expenditure of -	95
NR 114.—	- - - D° - - - Regulations passed by the Governments of Bengal and Fort St. George, in 1822 - - - -	97
NR 426.—	- - - D° - - - Hindoo Infanticide; correspondence and proceedings with regard to that practice, 1789—1820 - -	167
NR 443.—	- - - D° - - - Hindoo Widows; communications - - -	311
158.—	**Demerara**; Minutes of Evidence on trial of *John Smith*, a missionary	373
333.—	- - D° - - II.—Further Papers; insurrection of Slaves, and Minutes of Trials - - - - - - - - -	465
338.—	- - D° - - III.—Further Papers; documentary Evidence - -	565
160.—	**Slaves**; Acts of Colonial Legislatures, 1818—1823 - - -	605

ACCOUNTS,

RESPECTING THE

ANNUAL REVENUES AND DISBURSEMENT
TRADE AND SALES,

OF

The East India Company,

FOR THREE YEARS,

(1819/20) —— (1820/21) —— (1821/22)

ACCORDING TO THE LATEST ADVICES,

Together with the latest ESTIMATE of the Same,

(1822/23.)

Ordered, by The House of Commons, *to be Printed,*
24 *May* 1824

LIST of ACCOUNTS presented to the Honourable the House of Commons, in obedience to the Act of the 54th *George* 3d, c. 36, sect. 55.

No 1.—An ACCOUNT of the Annual Revenues and Charges of Bengal, under the respective Heads thereof, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - - - - pp. 6 & 7

No. 2.—A COMPARISON of the Estimated and Actual Revenues and Charges of Bengal, for the Year 1821-22 - - - - - - - - - - - - pp. 8 & 9

No. 3.—An ACCOUNT of the Revenues and Charges of Fort St. George, under the respective Heads thereof, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - pp. 10 & 11

No. 4.—A COMPARISON of the Estimated and Actual Revenues and Charges of Fort St. George, for the Year 1821-22 - - - - - - - - pp. 12 & 13

No. 5.—An ACCOUNT of the Revenues and Charges of Bombay, under the respective Heads thereof, for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - - - - - pp. 14 & 15

No 6.—A COMPARISON of the Estimated and Actual Revenues and Charges of Bombay, for the Year 1821-22 - - - - - - - - - - - pp. 16 & 17

No. 7.—An ACCOUNT of the Revenues and Charges of Bencoolen, Prince of Wales Island, and St. Helena, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - - - p. 18

No. 8.—GENERAL ABSTRACT VIEW of the Actual Revenues and Charges of India, for Three Years, according to the latest Advices; with the Estimate of the same for the succeeding Year; showing the Net Revenue, the Amount paid for Interest on Debts, and the remaining Surplus Revenue - - - - - - - - - - p. 19

No. 9—ABSTRACT STATEMENT of the Receipts and Disbursements of the Bengal Government, from the 1st May 1821 to 30th April 1822 - - - pp. 22—31

No. 10.—ABSTRACT STATEMENT of the Receipts and Disbursements of the Madras Government, from 1st May 1821 to 30th April 1822 - - - - pp. 32—35

No. 11.—ABSTRACT STATEMENT of the Receipts and Disbursements of the Bombay Government, from 1st May 1821 to 30th April 1822 - - - - pp. 36—41

No. 12.—ABSTRACT STATEMENT of the Receipts and Disbursements of the Residency of Bencoolen and its Dependencies, from 1st May 1821 to 30th April 1822, pp. 42—43

No. 13.—ABSTRACT STATEMENT of the Receipts and Disbursements of Prince of Wales Island, from 1st May 1821 to 30th April 1822 - - - - - pp. 44—45

No. 14.—An ACCOUNT of the Balance of Quick Stock; exhibiting a State of the Company's Affairs, in respect to their Assets and Debts, as they stood at the several Presidencies of Fort William, Fort St. George, Bombay, and Prince of Wales Island, and at the Residency of Fort Marlbro', at the conclusion of the Year 1821-22, pp. 46 & 47

No. 15.—AMOUNT of Bond and other Debts, owing by The *East India* Company, at their several Presidencies in the East Indies, on the 30th April 1822; the Rates of Interest which such Debts respectively carry, and the Annual Amount of such Interest, pp. 48—50

No. 16.—ABSTRACT

No. 16.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of the Bengal Government, from 1st May 1822 to 30th April 1823 - - - - pp. 52—55

No. 17.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of the Madras Government, from 1st May 1822 to 30th April 1823 - - - - pp. 56—59

No. 18.—ABSTRACT ESTIMATE of the Probable Receipts and Disbursements of the Bombay Government, from 1st May 1822 to 30th April 1823 - - - - pp. 60—65

No. 19—ABSTRACT ESTIMATE of the Receipts and Disbursements of the Residency of Bencoolen and its Dependencies, from 1st May 1822 to 30th April 1823, pp. 66 & 67

No. 20.—ABSTRACT ESTIMATE of the Receipts and Disbursements of Prince of Wales Island, from 1st May 1822 to 30th April 1823 - - - - - pp 68 & 69

No. 21.—An ACCOUNT of the Annual Charges defrayed by The *East India* Company, for the Management of their Trade and Commerce in Bengal, Madras, Bombay, Bencoolen, and Prince of Wales Island; also, an Account of the Factory Charges at Canton, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - - - - - - - p. 70

No 22.—An ACCOUNT of the Amount received at the several Presidencies of Fort William, Fort St. George, Bombay, and at Bencoolen and Prince of Wales Island, for Sales of Import Goods, for Three Years, according to the latest Advices; with an Estimate of the same for the succeeding Year - - - - - - - p. 71

No. 23.—An ACCOUNT of the Prime Cost of all Cargoes purchased by The *East India* Company in India. and shipped for Europe, for Three Years, according to the latest Advices - - - - - - - - - - - - - - p. 72

East India House,
13th May 1824.

JAMES C. MELVILL,
Ass^t D^r Aud. of India Acco^ts

No 1 & 2. - - - - - BENGAL Annual Revenues and Charges - - - pp. 6—9
No. 3 & 4. - - - - FORT ST. GEORGE - D° - - - - - - pp. 10—13
No. 5 & 6. - - - - BOMBAY - - - - - D° - - - - - - pp. 14—17
No. 7 - - - - - BENCOOLEN, &c. - - D° - - - - - - - p. 18
No. 8. - - - - - General Abstract View of the Revenues and Charges of India, p. 19

No. 1.—AN ACCOUNT of the Annual Revenues and Charges of BENGAL, With an ESTIMATE of the

	1819/20.	1820/21.	1821/22.	Per Estimate, 1822/23.
	C^t R^s	C^t R^s	C^t R^s	C^t R^s
Mint or Coinage Duties and Profits - - - -	5,07,755	3,16,940	3,29,551	2,65,791
Post Office Collections - - - - - -	5,67,673	5,56,568	5,79,899	5,22,000
Stamp Duties - - - - - - - - -	14,61,280	15,08,971	15,14,992	21,57,600
Judicial Fees and Fines, and Licences for the Sale of Spirituous Liquors, &c. - - - - - -	(b) 7,53,681	5,84,599	5,55,724	5,54,740
Customs in Bengal, Behar, and Orissa - - -	(a) 42,77,870	44,48,417	47,90,014	46,40,000
Land and Sayer Revenues of D° - D° - D° - -	3,69,44,983	3,61,47,254	3,70,15,034	3,68,64,800
Benares Revenues, Customs, Judicial Fees, &c. - -	62,48,492	72,19,436	73,63,354	*4,95,58,269
Ceded Provinces in Oude, 1801, Revenues, Customs, &c.	2,45,02,090	2,46,45,497	2,46,09,042	
Conquered Provinces - 1803/4 - D° - - D° - -	1,71.09,958	1,78,48,333	1,82,72,761	
Ceded Territory on the Nerbuddah: Land Revenues, Tributes, &c. - - - - - - -	† 20,55,317	† 77,99,088	60,34,198	62,06,000
Sale of Salt - - - - - - - -	1,90,27,939	1,90,35,117	2,06,07,680	2,20,40,000
Sale of Opium - - - - - - - - -	79,98,248	1,43,64,321	1,12,57,275	1,39,78,000
Marine: Receipts for Pilotage, Hire of Moorings, &c. -	4,20,415	3,97,639	4,75,500	3,48,000
TOTAL REVENUES - - C^t R^s	12,18,75,701	13,48,72,180	13,34,05,024	13,71,35,200
Or, at 2*s*. the Current Rupee - £.S^{ts}	12,187,570	13,487,218	13,340,502	13,713,520
Deduct, CHARGES - - - -	8,950,160	8,750,757	8,540,182	8,871,332
NET REVENUES - - - £.S^{ts}	3,237,410	4,736,461	4,800,320	4,842,188

	1819/20.	1820/21.	1821/22.	1822/23.
(a) Customs, as above - - - - - -	42,77,870	44,48,417	47,90,014	46,40,000
D° - in Benares - - - - -	6,28,878	6,33,720	7,36,109	39,44,000
D° - in Oude - - - - - -	7,75,954	11,21,044	10,36,925	
D° - in Conquered Provinces - -	16,99,835	20,45,629	19,11,448	
Total Customs - - - C^t R^s	73,82,537	82,48,810	84,74,496	85,84,000
(b) Judicial, as above - - - - - -	7,53,681	5,84,599	5,55,724	5,54,740
D° - in Benares - - - - -	13,063	16,622	14,500	14,500
D° - in Oude - - - - - -	24,300	15,709	22,780	22,780
D° - in Conquered Provinces - -	24,300	15,709	22,780	22,780
Total Judicial - - - C^t R^s	8,15,344	6,32,639	6,15,784	6,14,800

* The Estimates do not state the Resources of these Provinces separately.

† In these years, the Net Amount only of the Revenues is stated, after deducting the charges. In 1820/21, Arrears from the year 1818 are included, amounting to current Rupees 36,61,031.

East India House,
13th May 1824.

(Errors excepted.)

under the respective Heads thereof, for Three Years, according to the latest Advices: same for the succeeding Year.

	1819/20.	1820/21.	1821/22.	Per Estimate. 1822/23.
	Ct Rs	Ct Rs	Ct Rs	Ct Rs
Mint Charges	4,74,481	3,36,874	2,24,100	4,64,000
Post Office Charges	4,03,334	3,32,542	4,81,676	4,06,000
Charges of the Civil Establishments	97,28,651	68,95,215	80,04,028	84,79,600
Stamp Office Charges	6,51,610	6,51,446	6,16,916	5,80,000
TOTAL CIVIL CHARGES - - - - Ct Rs	1,12,58,076	82,16,077	93,26,720	99,29,600
JUDICIAL CHARGES; viz. Supreme Court of Judicature, and Law Charges incidental to its Establishment	6,51,969	5,37,334	5,66,819	5,20,840
Charges of the Sudder and Zillah Courts, and Police Establishment in Bengal, Behar, and Orissa	(b) 53,37,960	50,83,934	54,49,848	53,87,040
TOTAL JUDICIAL CHARGES - - - Ct Rs	59,89,929	56,21,268	60,16,667	59,07,880
Charges collecting the Customs of Bengal, Behar, and Orissa	(a) 5,81,589	5,89,846	7,06,651	6,38,000
Charges on the Revenues of Bengal, Behar, and Orissa, including stipends to the Nabob and his Family, &c.	49,10,689	51,51,534	50,86,547	61,72,360
Benares Charges: Collecting the Revenues and Customs, Judicial, &c. Charges	16,52,033	18,47,076	17,70,667	17,40,829
Oude Charges: Collecting - - Do - Do - Do	47,87,813	47,25,674	52,23,609	65,34,454
Conquered Provinces: Charges collecting Do - Do	57,43,871	68,51,936	64,62,862	68,69,675
Ceded Territory on the Nerbuddah: Charges	- - -	- - -	13,56,399	11,02,000
Salt—Advances and Charges	60,23,041	56.65,403	59,71,710	61,48,000
Opium: - Do - - Do	10,35,666	13,57,259	9,86,722	10,78,800
Military Charges	4,43,45,741	4,48,65,449	3,98,95,849	4,03,87,720
Buildings and Fortifications	17,00,168	11,53,110	13,13,793	8,12,000
Marine Charges	14,73,585	14,62,937	12,83,625	13,92,000
TOTAL CHARGES - - - - - - - Ct Rs	8,95,01,601	8,75,07,569	8,54,01,821	8,87,13,318
Or, at 2s. the Current Rupee - - - £. Stg	8,950,160	8,750,757	8,540,182	8,871,332

(a) Customs, as above	5,81,589	5,89,846	7,06,651	6,38,000
Do - in Benares	1,20,276	1,28,801	1,43,395	3,24,800
Do - in Oude	1,82,217	1,93,444	1,91,409	
Do - in Conquered Provinces	1,57,255	1,65,476	1,60,477	1,62,400
Total Customs - - - Ct Rs	10,41,337	10,77,567	12,01,932	11,25,200

(b) Judicial, as above	53,37,960	50,83,934	54,49,848	53,87,040
Do - in Benares	4,65,449	5,50,443	5,21,251	7,05,280
Do - in Oude	17,13,907	18,50,671	17,59,537	17,90,267
Do - in Conquered Provinces	8,98,534	10,52,067	10,11,628	11,08,574
Total Judicial - - - Ct Rs	84,15,850	85,37,115	87,42,264	89,91,161

JAMES C. MELVILL,

Asst Dy Aud. of India Accots.

No. 2.—A COMPARISON of the Estimated and Actual

REVENUES:	Estimated Amount in 1821/22.	Actual Amount in 1821/22.	Surplus in the Actual Receipts	Deficiency in the Actual Receipts.
	Cᵗ Rˢ	Cᵗ Rˢ	Cᵗ Rˢ	Cᵗ Rˢ
Mint or Coinage Duties and Profits - - - -	1,77,387	3,29,551	152,164	—
Post Office Collections - - - - - - -	5,10,400	5,79,899	69,499	—
Stamp Duties - - - - - - - - - -	21,46,000	15,14,992	- - -	6,31,008
Judicial Fees and Fines, and Licences for the Sale of Spirituous Liquors, &c. - - - - - - -	5,78,361	5,55,724	- - -	22,637
Customs in Bengal, Behar and Orissa - - - -	42,92,000	47,90,014	4,98,014	—
Land and Sayer Revenues of Dᵒ - Dᵒ - Dᵒ - -	3,66,32,800	3,70,15,034	3,82,234	—
Benares Revenues, Customs, Judicial Fees, &c. -	4,86,37,052	73,63,354	16,08,105	—
Ceded Provinces in Oude, 1801, Revenues, Customs, &c.		2,46,09,042		
Conquered Provinces, 1803/4 - Dᵒ - Dᵒ - -		1,82,72,761		
Ceded Territory on the Nerbuddah - - - -	52,20,000	60,34,198	8,14,198	—
Sale of Salt - - - - - - - - - -	2,04,16,000	2,06,07,680	1,91,680	—
Sale of Opium - - - - - - - - - -	1,42,68,000	1,12,57,275	- - -	30,10,725
Marine: Receipts for Pilotage, Hire of Moorings, &c.	3,94,400	4,75,500	81,100	—
TOTAL REVENUES - - - Cᵗ Rˢ	13,32,72,400	13,34,05,024	37,96,994	36,64,370
Or, at 2 s. the Current Rupee - £.	13,327,240	13,340,502	379,699	366,437
			Net Surplus of Actual Revenues	13,262
DEDUCT CHARGES - - - - £.	8,320,075	8,540,182	Net Surplus of Actual Charges -	220,107
NET REVENUES - - - - - £.	5,007,165	4,800,320	Deficiency of Actual Net Revenue - - -	206,845

East India House,
13th May 1824.

(Errors excepted.)

Revenues and Charges of BENGAL, for the Year 1821/22.

	Estimated Amount in 1821/22.	Actual Amount in 1821/22.	Surplus in Actual Charges.	Deficiency in Actual Charges.
CHARGES:	C^{t} R^{s}	C^{t} R^{s}	C^{t} R^{s}	C^{t} R^{s}
Mint Charges - - - - - - - - -	6,20,600	2,24,100	- - -	3,96,500
Post Office Charges - - - - - - - -	3,36,400	4,81,676	145,276	—
Charges of the Civil Establishments - - - -	85,26,000	80,04,028	- - -	5,21,972
Stamp Office Charges - - - - - - -	6,61,200	6,16,916	- - -	44,284
TOTAL CIVIL CHARGES - - - - C^{t} R^{s}	1,01,44,200	93,26,720	1,45,276	9,62,756
JUDICIAL CHARGES: viz. Supreme Court of Judicature, and Law Charges incidental to its Establishment -	5,39,400	5,66,819	27,419	—
Charges of the Sudder and Zillah Courts and Police Establishment in Bengal, Behar and Orissa - -	53,62,680	54,49,848	87,168	—
TOTAL JUDICIAL CHARGES - - C^{t} R^{s}	59,02,080	60,16,667	1,14,587	—
CHARGES collecting the Customs of Bengal, Behar and Orissa - - - - - - - - -	5,80,000	7,06,651	1,26,651	—
Charges on the Revenues of Bengal, Behar and Orissa, including Stipends to the Nabob and his Family, &c.	51,15,600	50,86,547	- - -	29,053
Benares Charges: Collecting the Revenues and Customs, Judicial, &c. Charges - - - - - - -	14,78,959	17,70,667	2,91,708	—
Oude Charges: Collecting D^{o} - D^{o} - D^{o} - - -	45,67,154	52,23,609	6,56,455	—
Conquered Provinces: Charges Collecting D^{o} - D^{o} -	63,62,409	64,62,862	1,00,453	—
Ceded Territory in the Nerbuddah - - - -	11,25,200	13,56,399	2,31,199	—
Salt: Advances and Charges - - - - - -	56,84,000	59,71,710	2,87,710	—
Opium: D^{o} - - D^{o} - - - - - - -	11,48,400	9,86,722	- - -	1,61,678
Military Charges - - - - - - - -	3,90,39,551	3,98,95,849	8,56,298	—
Buildings and Fortifications - - - - - -	6,96,000	13,13,793	6,17,793	—
Marine Charges - - - - - - - -	13,57,200	12,83,625	- - -	73,575
TOTAL CHARGES - - - - - C^{t} R^{s}	8,32,00,753	8,54,01,821	34,28,130	12,27,062
Or, at 2 s. the Current Rupee - - £.	8,320,075	8,540,182	342,813	122,706
			Net Surplus of Actual Charges - £.	220,107

JAMES C. MELVILL,
Ass^{t} D^{y} Aud. of India Acco^{ts}.

No. 3.—An ACCOUNT of the Revenues and Charges of FORT SAINT GEORGE,
With an Estimate of the

	1819/20.	1820/21.	1821/22.	Per Estimate, 1822/23.
	Pagodas.	Pagodas.	Pagodas.	Pagodas.
Mint Duties	18,125	42,381	32,041	34,286
Post Office Collections	55,297	57,707	61,457	60,000
Stamp Duties	1,29,797	1,55,607	1,61,859	1,43,916
Judicial Fees, Fines, &c.	34,603	39,135	38,239	44,286
Farms and Licences of exclusive Privileges of Ancient Possessions	(a) 2,57,332	2,47,239	2,55,654	2,53,748
Customs of Ancient Possessions	(b) 4,54,282	4,61,624	5,66,101	5,43,644
Land and Sayer Revenues of Ancient Possessions, including the Circars and Jaghire Lands	21,75,557	22,19,955	21,50,077	21,67,755
Land Revenues, Customs, &c. from the Carnatic	33,14,326	33,78,263	35,47,348	34,89,964
D° - D° - Tanjore	9,88,027	10,31,829	10,11,058	9,47,023
D° - D° - Ceded and Conquered Provinces, in Mysore, Malabar, &c.	28,72,403	29,26,799	28,48,387	28,34,859
D° - D° in the Countries ceded by the Nizam	18,10,309	16,58,753	18,14,303	17,81,849
Sale of Salt in Ancient Possessions	(c) 4,07,957	2,89,949	4,10,336	4,07,125
Subsidy from Mysore	7,00,000	7,00,000	7,00,000	7,00,000
D° - - Travancore	2,23,746	2,23,746	2,23,746	2,23,746
D° - - Cochin	53,711	57,143	53,333	57,143
Marine: Receipts from Boats, Light-house, &c.	22,038	18,635	18,634	18,286
Total Revenues - Pagodas	1,35,17,510	1,35,08,765	1,38,92,573	1,37,08,230
Or, at 8s. the Pagoda - £. St^{g}	5,407,004	5,403,506	5,557,129	5,483,292
Deduct Charges - - £.			5,405,592	5,104,302
Net Revenues - - £.			151,537	378,990
(a) Farms and Licences, as above	2,57,332	2,47,239	2,55,654	2,53,748
D° - D° from the Carnatic	96,802	1,12,149	1,47,454	1,41,470
D° - D° from Tanjore	16,488	16,768	16,678	16,209
D° - D° from the Ceded and Conquered Provinces	74,848	96,572	1,83,891	1,65,660
D° - D° from Countries ceded by the Nizam	99,179	1,84,729	2,41,435	2,29,563
Pagodas	5,44,649	6,57,457	8,45,112	8,06,650
(b) Customs, as above	4,54,282	4,61,624	5,66,101	5,43,644
D° - from the Carnatic	3,26,198	3,28,712	3,63,470	3,45,289
D° - from Tanjore	85,341	95,900	1,02,815	1,02,286
D° - from Ceded and Conquered Provinces	3,51,947	3,98,939	3,71,110	3,48,698
D° - from Countries ceded by the Nizam	1,28,880	1,41,242	1,73,428	1,57,143
Pagodas	13,46,648	14,26,417	15,76,924	14,97,060
(c) Sale of Salt, as above	4,07,957	2,89,949	4,10,336	4,07,125
D° - in the Carnatic	3,20,824	2,79,370	3,16,801	3,15,732
D° - in Tanjore	63,047	81,716	79,273	68,571
D° - in Ceded and Conquered Provinces	1,17,240	1,33,353	1,03,808	1,08,571
Pagodas	9,09,068	7,84,388	9,10,218	8,99,999

East India House,
13th May 1824.

(Errors excepted.)

under the respective Heads thereof, for Three Years, according to the latest Advices: same for the succeeding Year.

	1819/20.	1820/21.	1821/22.	Per Estimate, 1822/23.
	Pagodas.	Pagodas.	Pagodas.	Pagodas
Mint Charges	50,714	50,119	54,810	62,303
Post Office Charges	60,051	61,534	63,944	64,286
Charges of the Civil Establishments	6,29,078	6,68,795	6,61,224	7,21,743
Stamp Office Charges	8,909	24,379	24,801	21,235
TOTAL CIVIL	7,48,752	8,04,827	8,04,779	8,69,567
JUDICIAL CHARGES: viz. Supreme Court of Judicature and Law Charges	1,24,425	1,12,897	1,00,859	1,07,723
Charges of the Sudder and Zillah Courts, and Police	(a) 5,94,805	5,62,704	4,99,212	4,70,071
TOTAL JUDICIAL (Ancient Possessions)	7,19,230	6,75,601	6,00,071	5,77,794
CHARGES collecting the Customs in Ancient Possessions	(b) 1,27,145	1,38,062	1,74,395	84,133
D° - D° - Revenues in - D°	6,24,444	6,03,688	6,54,364	6,83,628
Carnatic: Charges collecting the Revenue and Customs, Judicial, &c. Charges	11,19,547	11,10,497	11,72,740	11,18,467
Tanjore - - - D° - - - - D° - - D°	4,10,843	4,18,214	4,43,306	4,13,953
Ceded and Conquered Provinces D° - D° - D°	6,75,694	6,72,383	7,53 931	6,59,563
Countries ceded by the Nizam D° - D° - D°	2,62,186	2,93,246	2,27,802	2,47,666
Salt: Advances and Charges in Ancient Possessions	(c) 64,786	65,834	1,14,906	96,355
Military Charges	92,45,421	88,90,556	83,28,119	77,89,657
Buildings and Fortifications	2,00,265	2,18,226	2,05,273	1,85,714
Marine Charges	38,797	40,088	34,294	34,257
TOTAL CHARGES - - Pagodas	1,42,37,110	1,39,31,222	1,35,13,980	1,27,60,754
Or, at 8*s.* the Pagoda - - £. St^{g}	5,694,844	5,572,489	5,405,592	5,104,302
DEDUCT REVENUES	5,407,004	5,403,506		
NET CHARGES - - - - £. St^{g}	287,840	168,983		

	1819/20.	1820/21.	1821/22.	1822/23.
(a) Judicial Charges as above	5,94,805	5,62,704	4,99,212	4,70,071
D° - D° in the Carnatic	1,54,659	1,52,813	1,43,810	97,403
D° - D° in the Ceded and Conquered Provinces	1,05,474	1,04,559	1,23,481	1,03,486
D° - D° in the Countries ceded by the Nizam	1,03,505	95,209	82,637	84,780
Pagodas	9,58,443	9,15,285	8,49,140	7,55,740
(b) Charges collecting the Customs, as above	1,27,145	1,38,062	1,74,395	84,133
D° - D° in the Carnatic	45,759	47,562	39,439	21,757
D° - D° in Tanjore	10,389	10,944	9,749	9,683
D° - D° in the Ceded and Conquered Provinces	68,425	64,076	60,484	54,404
D° - D° in the Countries ceded by the Nizam	22,667	23,067	12,593	11,386
Pagodas	2,74,385	2,83,711	2,96,660	1,81,363
(c) Salt: Advances and Charges, as above	64,786	65,834	1,14,906	96,355
D° - D° in the Carnatic	55,720	56,735	91,207	77,185
D° - D° in Tanjore	8,962	15,964	13,489	14,110
D° - D° in the Ceded and Conquered Provinces	55,631	53,492	54,087	44,654
Pagodas	1,85,099	1,92,025	2,73,689	2,32,304

JAMES C. MELVILL,

Ass^{t} D^{r} Aud. of India Acc^{ts}.

No. 4.—A COMPARISON of the Estimated and Actual Revenues

—— REVENUES:	Estimated Amount in 1821/22.	Actual Amount in 1821/22.	Surplus in Actual Receipts.	Deficiency in Actual Receipts.
	Pagodas	Pagodas.	Pagodas	Pagodas.
Mint Duties - - - - - - - - - -	42,286	32,041	- - -	10,245
Post Office Collections - - - - - - -	57,714	61,457	3,743	—
Stamp Duties - - - - - - - - - -	1,37,049	1,61,859	24,810	—
Judicial Fees, Fines, &c. - - - - - - - -	40,000	38,239	- - -	1,761
Farms and Licences of exclusive Privilege of Ancient Possessions - - - - - - - - -	2,38,470	2,55,654	17,184	—
Customs of Ancient Possessions - - - - - -	4,85,418	5,66,101	80,683	—
Land and Sayer Revenue of Ancient Possessions, including the Circars and Jaghire Lands - - -	22,49,252	21,50,077	- - -	99,175
Land Revenues, Customs, &c. from the Carnatic - -	32,96,902	35,47,348	2,50,446	—
D° - - D° - from Tanjore - - -	9,23,300	10,11,058	87,758	—
D° - - D° - from the Ceded and Conquered Provinces in Mysore, Malabar, &c.	28,52,613	28,48,387	- - -	4,226
D° - - D° - in the Countries ceded by the Nizam - - - -	16,65,079	18,14,303	1,49,224	—
Sale of Salt in Ancient Possessions - - - - -	2,90,958	4,10,336	1,19,378	—
Subsidy from Mysore - - - - - - -	7,00,000	7,00,000	—	—
D° - from Travancore - - - - - - -	2,23,746	2,23,746	—	—
D° - from Cochin - - - - - - -	53,331	53,333	2	—
Marine: Receipts for Boats, Light-house, &c. - -	16,000	18,634	2,634	—
TOTAL REVENUES - - - Pag^s	1,32,72,118	1,38,92,573	7,35,862	1,15,407
Or, at 8*s*. the Pagoda - - - £.	5,308,847	5,557,029	2,94,345	46,163
DEDUCT CHARGES - - - - -	5,292,833	5,405,592	Net Surplus of Actual Revenues -	248,182
NET REVENUES - - - - - £.	16,014	151,437	Net Surplus of Actual Charges -	112,759
			Surplus in the Actual Net Revenues -	135,423

East India House,
13th May 1824.

(Errors excepted.)

and Charges of FORT SAINT GEORGE, for the Year 1821/22.

CHARGES:	Estimated Amount in 1821/22.	Actual Amount in 1821/22.	Surplus in Actual Charges	Deficiency in Actual Charges
	Pagodas	Pagodas.	Pagodas	Pagodas
Mint Charges - - - - - - - - - -	58,914	54,810	- - -	4,104
Post Office Charges - - - - - - - -	61,714	63,944	2,230	—
Charges of the Civil Establishments - - - -	6,74,349	6,61,224	- - -	13,125
Stamp Office Charges - - - - - - -	22,234	24,801	2,567	—
TOTAL CIVIL CHARGES - Pagodas	8,17,211	8,04,779	4,797	17,229
JUDICIAL CHARGES, &c. Supreme Court of Judicature, and Law Charges - - - - - - - -	1,14,909	1,00,859	- - -	14,050
Charges of the Sudder and Zillah Courts and Police -	5,07,023	4,99,212	- - -	7,811
TOTAL JUDICIAL CHARGES (Ancient Possessions)	6,21,932	6,00,071	- - -	21,861
CHARGES collecting the Customs in Ancient Possessions	93,980	1,74,395	80,415	—
D° - - D° - Revenues - D° - - - -	6,89,933	6,54,364	- - -	35,569
Carnatic: Charges collecting the Revenues and Customs, Judicial, &c. Charges - - - - - -	11,07,208	11,72,740	65,532	—
Tanjore - - D° - - D° - - D° - - - -	4,07,405	4,43,306	35,901	—
Ceded and Conquered Provinces - D° - D° - D° -	6,96,169	7,53,931	57,762	—
Countries ceded by the Nizam - - D° - D° - D° -	2,74,668	2,27,802	- - -	46,866
Salt: Advances and Charges in Ancient Possessions -	72,520	1,14,906	42,386	—
Military Charges - - - - - - - - -	82,06,771	83,28,119	1,21,348	—
Buildings and Fortifications - - - - - -	2,08,571	2,05,273	- - -	3,298
Marine Charges - - - - - - - - -	35,714	34,294	- - -	1,420
TOTAL CHARGES - - - Pagodas	1,32,32,082	1,35,13,980	4,08,141	1,26,243
Or, at 8*s.* the Pagoda - - - - £.	5,292,833	5,405,592	163,256	50,497
			Net Surplus of Actual Charges - -	112,759

JAMES C. MELVILL,
Ass^t D^r Aud. of India Acco^{ts}.

No. 5.—AN ACCOUNT of the Revenues and Charges of BOMBAY, With an ESTIMATE of the

	1819/20.	1820/21.	1821/22.	Per Estimate, 1822/23.
	Rupees.	Rupees.	Rupees.	Rupees.
Mint Duties	48,780	30,899	41,104	44,400
Post Office Collections	56,483	83,315	86,970	85,300
Stamp Duty	1,59,717	1,42,898	1,79,026	1,65,000
Judicial Fees, Fines, &c. (a)	2,900	6,594	8,033	7,300
Opium, Sale of	- - -	- - -	33,89,333	32,12,500
Farms and Licences of exclusive Privilege (c)	6,68,695	*2,09,50,957	2,13,03,807	2,26,39,300
Customs of Ancient Possessions (b)	10,76,059			
Land Revenues of - D°	3,20,861			
Land Revenues, Customs, Judicial Fees, &c. of Provinces ceded by the Guicowar	36,97,737			
D° - D° - of Provinces ceded by, and conquered from the Mahrattas	78,37,092			
Marine: Receipts or Hire of Docks, Mooring Chains, &c.	1,57,741	1,30,331	3,76,090	2,04,100
TOTAL REVENUES - - - - R^s	1,40,26,065	2,13,44,994	2,53,84,363	2,63,57,900
Or, at 2*s.* 3*d.* the Rupee - £. St^g	1,577,932	2,401,312	2,855,740	2,965,264

(a) Judicial Fees, Fines, &c. as above	2,900	6,594	8,033	7,300
- - - D° - - - Guicowar	5,918	61,300	40,765	35,900
- - - D° - - - Mahrattas	8,302			
TOTAL JUDICIAL - - - - - R^s	17,120	67,894	48,798	43,200
(b) Customs, as above	10,76,059	27,92,035	34,33,709	37,56,800
D° - Guicowar	3,62,035			
D° - Mahrattas	9,68,657			
TOTAL CUSTOMS - - - - - R^s	24,06,751	27,92,035	34,33,709	37,56,800
(c) Farms and Licences, &c. as above	6,68,695	19,34,836	21,67,911	21,80,700
- - - D° - - - Guicowar	1,73,735			
- - - D° - - - Mahrattas	7,53,357			
TOTAL FARMS and LICENCES - R^s	15,95,787	19,34,836	21,67,911	21,80,700

East India House,
13th May 1824.

(Errors excepted.)

under the respective Heads thereof, for Three Years, according to the latest Advices: same for the succeeding Year.

	1819/20.	1820/21.	1821/22.	Per Estimate, 1822/23.
	Rupees.	Rupees.	Rupees	Rupees.
Mint Charges - - - - - - - - - -	31,617	22,998	20,472	38,500
Post Office Charges - - - - - - - -	41,333	1,39,553	1,30,698	1,26,100
Charges of the Civil Establishment - - - -	12,14,532	18,83,182	27,12,670	24,99,060
TOTAL - - - - - -	12,87,482	20,45,733	28,63,840	26,63,660
JUDICIAL CHARGES of the Ancient Possessions, viz.				
Recorder's Court, and Law Charges - - - -	1,52,472	1,77,522	1,71,765	2,56,600
Charges of the Sudder and Zillah Courts and Police (a)	2,48,130	2,69,893	2,93,768	2,92,400
TOTAL JUDICIAL - - - - - -	4,00,602	4,47,415	4,65,533	5,49,000
CHARGES collecting Customs of Ancient Possessions (b)	1,65,187	*65,51,336	65,14,549	66,55,400
- - D° - - Revenues of - D° - - -	4,38,753			
Provinces ceded by the Guicowar; Charges collecting the Revenues and Customs; Judicial, &c. Charges -	5,64,812			
Provinces ceded by and conquered from the Mahrattas - D° - D° - D° - - - -	12,55,103			
Opium, Advances for the purchase of - - - -	- - -	3,23,347	41,99,741	65,60,600
Military Charges - - - - - - - -	1,61,28,040	1,76,59,524	1,62,95,023	1,52,64,500
Buildings and Fortifications - - - - - -	1,77,440	5,05,140	7,35,449	6,37,900
Marine Charges - - - - - - - -	8,78,975	8,88,540	10,13,820	10,78,600
TOTAL CHARGES - - - - - - R^s	2,12,96,394	2,84,21,035	3,20,87,955	3,34,09,660
Or, at 2*s.* 3*d.* the Rupee - £. St^g	2,395,844	3,197,366	3,609,894	3,758,587
DEDUCT REVENUES - - - - - £.	1,577,932	2,401,312	2,855,740	2,965,264
NET CHARGES - - - - - - £.	817,912	796,054	754,154	793,323

(a) Judicial Charges, as above - - - - -	2,48,130	2,69,893	2,93,768	2,92,400
- - D° - - - Guicowar - - - -	2,52,152	12,56,751	14,43,133	11,67,700
- - D° - - - Mahrattas - - - -	2,54,189			
TOTAL JUDICIAL - - - - - - R^s	7,54,471	15,26,644	17,36,901	14,60,100
(b) Customs: Charges, as above - - - -	1,65,187	3,66,176	3,76,023	3,78,600
- - - D° - - Guicowar - - - -	37,896			
- - - D° - - Mahrattas - - - -	1,74,627			
TOTAL CUSTOMS - - - - - - R^s	3,77,710	3,66,176	3,76,023	3,78,600

* The Statements received from Bombay for three Years, do not allow of the Revenues and Charges of the ancient and recently acquired Possessions being distinctly particularized. The particulars will be given in future accounts.

JAMES C. MELVILL,
Ass^t D^y Aud. of India Acco^{ts}.

No. 6.—A COMPARISON of the Estimated and Actual

	Estimated Amount to be received in 1821/22.	Actual Amount received in 1821/22.	Surplus in the Actual Receipts.	Deficiency in the Actual Receipts.
	Rupees.	Rupees.	Rupees	Rupees
Mint Duties - - - - - - - - - -	51,000	41,104	- - -	9,896
Post Office Collection - - - - - - -	80,000	86,970	6,970	—
Stamp Duty - - - - - - - - - -	1,40,000	1,79,026	39,026	—
Judicial Fees, Fines, &c. - - - - - - -	5,000	8,033	3,033	—
Opium, Sale of - - - - - - - - -	60,96,000	33,89,333	- - -	27,06,667
Farms and Licences of exclusive privilege - - -	2,26,96,400	2,13,03,807	- - -	13,92,593
Customs of Ancient Possessions - - - -				
Land Revenues of - D° - - - - -				
Land Revenues, Customs, Judicial Fees, &c. of Provinces ceded by the Guicowar - - - -				
D° - - D° - - of Provinces ceded by, and conquered from the Mahrattas - - - -				
Marine: Receipts for Hire of Docks, Mooring Chains, &c.	2,10,500	3,76,090	1,65,590	—
TOTAL REVENUES - - - - - R^s	2,92,78,900	2,53,84,363	2,14,619	41,09,156
Or, at 2*s.* 3*d.* the Rupee - £. St^g	3,293,876	2,855,740	24,144	462,279
		Net Deficiency of Actual Revenues	- £.	438,135

East India House,
13th May 1824.

(Errors excepted.)

Revenues and Charges of BOMBAY, for the Year 1821/22.

	Estimated Amount in 1821/22.	Actual Amount paid and due on account, 1821/22.	Surplus in the Actual Charges.	Deficiency in the Actual Charges.
	Rupees.	Rupees	Rupees.	Rupees
Mint Charges - - - - - - - - -	23,100	20,472	- - -	2,628
Post Office Charges - - - - - - -	1,14,180	1,30,698	16,518	—
Charges of the Civil Establishment - - - -	23,33,080	27,12,670	3,79,590	—
TOTAL - - - -	24,70,360	28,63,840	3,96,108	2,628
JUDICIAL CHARGES of the Ancient Possessions; viz.				
Recorder's Court, and Law Charges - - - -	1,94,540	1,71,765	- - -	22,775
Charges of the Sudder and Zillah Courts, and Police -	2,77,800	2,93,768	15,968	—
TOTAL JUDICIAL - -	4,72,340	4,65,533	15,968	22,775
CHARGES collecting Customs of Ancient Possessions -	61,97,378	65,14,549	3,17,171	—
D° - - - Revenues - - D° - -				
Provinces ceded by the Guicowar; Charges collecting the Revenues and Customs; Judicial, &c. Charges -				
Provinces ceded by, and conquered from the Mahrattas - D° - D° - D° - - - - -				
Opium: Advances for the purchase of - - -	38,72,000	41,99,741	3,27,741	—
Military Charges - - - - - - - -	1,58,33,000	1,62,95,023	4,62,023	—
Buildings and Fortifications - - - - - -	4,80,000	7,35,449	2,55,449	—
Marine Charges - - - - - - - - -	9,54,300	10,13,820	59,520	—
TOTAL CHARGES - - - R^s	3,02,79,378	3,20,87,955	18,33,980	25,403
Or, at 2*s.* 3*d.* the Rupee - - £. St^g	3,406,430	3,609,894	206,323	2,858
DEDUCT REVENUES - - £.	3,293,876	2,855,740	Net Surplus of Actual Charges Net Deficiency of Actual Revenue	203,465 438,135
NET CHARGES - - - £.	112,554	754,154	Surplus in the Actual Net Charges - -	641,600

JAMES C. MELVILL,
Ass^t D^r Aud. of India Acco^{ts}.

—No. 7.—

AN ACCOUNT of the Revenues and Charges of BENCOOLEN, PRINCE of WALES ISLAND, and ST. HELENA, for Three Years, according to the latest Advices:—With an ESTIMATE of the same for the succeeding Year.

	1819/20.	1820/21.	1821/22.	Per Estimate, 1822/23.
BENCOOLEN:	Ct Rupees.	Ct Rupees.	Ct Rupees.	Ct Rupees.
Civil Charges	10,38,976	6,83,821	6,31,833	6,99,908
Military Charges	2,07,567	2,58,734	2,30,023	1,67,096
Buildings and Fortifications	11,450	68,751	47,232	34,765
TOTAL CHARGES	12,57,993	10,11,306	9,09,088	9,01,769
Deduct,				
REVENUES arising from the Opium and Spirit Farms, and Customs	80,185	81,827	81,775	66,489
NET CHARGES - - - Ct Rs	11,77,808	9,29,479	8,27,313	8,35,280
Or, at 2 s. the Current Rupee - £.	1,17,780	92,948	82,731	83,528
PRINCE OF WALES ISLAND:	Dollars.	Dollars.	Dollars.	Dollars.
Civil Charges	266,529	286,667	275,735	270,388
Military Charges	30,910	32,941	61,018	33,300
Buildings and Fortifications	8,565	6,039	17,004	5,500
TOTAL CHARGES	306,004	325,647	343,757	309,188
Deduct,				
LAND REVENUES and Customs	199,754	208,090	166,639	179,590
NET CHARGES	106,250	117,557	177,118	129,598
Expense of Detachments not included above	135,275	104,529	105,378	85,500
Dollars	241,525	222,086	282,496	215,098
Or at 5s - £.	60,381	55,521	70,624	53,774
	From 1 Oct. 1819 to 30 April 1820.			Actual.
SAINT HELENA:	£.	£.	£.	£.
Civil Charges	33,019	54,641	47,314	29,475
Military Charges	128,562	218,774	157,527	87,083
Buildings and Fortifications	7,872	2,139	5,242	5,395
TOTAL CHARGES	169,453	275,554	210,083	121,953
Deduct,				
REVENUES arising from Rents, Licences and Fines	175	989	2,045	1,860
NET CHARGES - - - - £.	169,278	274,565	208,038	120,093

East India House,
13th May 1824.

(Errors excepted.)

JAMES C. MELVILL,
Asst Dy Aud. of India Accots.

No. 8.—GENERAL ABSTRACT VIEW of the ACTUAL REVENUES and CHARGES of INDIA, for Three Years, according to the latest Advices: With the ESTIMATE of the same for the succeeding Year; showing the NET REVENUE, the AMOUNT paid for INTEREST on DEBTS, and the remaining SURPLUS REVENUE.

	REVENUES:				CHARGES:				(a) NET REVENUE, or NET CHARGE			
	1819/20.	1820/21.	1821/22.	Estimate, 1822/23.	1819/20.	1820/21.	1821/22.	Estimate, 1822/23.	1819/20.	1820/21.	1821/22.	Estimate, 1822/23.
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
BENGAL - - - -	12,187,570	13,487,218	13,340,502	13,713,520	8,950,160	8,750,757	8,540,182	8,871,332	3,237,410	4,736,461	4,800,320	4,842,188
FORT ST. GEORGE - -	5,407,004	5,403,506	5,557,129	5,483,292	5,694,844	5,572,489	5,405,592	5,104,302	287,840	168,983	151,537	378,990
BOMBAY - - - -	1,577,932	2,401,312	2,855,740	2,965,264	2,395,844	3,197,366	3,609,894	3,758,587	817,912	796,054	754,154	793,323
BENCOOLEN - - -	8,018	8,183	8,177	6,649	125,799	101,131	90,909	90,177	117,781	92,949	82,732	83,528
PRINCE OF WALES ISLAND	49,938	52,022	41,659	44,898	76,476	81,412	85,939	77,297	(b) 26,538	(b) 29,390	(b) 44,280	(b) 32,399
TOTAL - - £.	19,230,462	21,352,241	21,803,207	22,213,623	17,243,123	17,703,155	17,732,516	17,901,695	1,987,339	3,649,085	4,070,691	4,311,928

	1819/20.	1820/21.	1821/22.	Estimate, 1822/23.
INTEREST ON DEBTS:				
BENGAL - - - - - - - - - - -	1,798,798	1,751,044	1,809,300	1,729,096
FORT ST. GEORGE - - - - - - - -	111,444	130,495	107,352	178,871
BOMBAY - - - - - - - - - -	29,671	26,941	18,535	9,000
BENCOOLEN - - - - - - - - -	414	373	203	222
PRINCE OF WALES ISLAND - - - - -	—	—	—	—
TOTAL INTEREST - - - - -	1,940,327	1,908,853	1,935,390	1,917,189
NET REVENUES after paying Interest on Debts - -	47,012	1,740,232	2,135,301	2,394,739
NET CHARGE - - D° - - D° - - D° - - -	—	—	—	—
EXPENSE OF ST. HELENA - - -	(c) 169,278	(c) 274,565	(c) 208,038	120,093
NET SURPLUS REVENUE IN INDIA - - -	—	1,465,667	1,927,263	2,274,646
NET SURPLUS CHARGE IN INDIA - - -	122,266	—	—	—

(a) The figures in Black Ink show the Net Revenue; the figures in Red Ink, the Net Charge.

(b) Exclusive of the Expense of Detachments (as in N° 7), the same being charged in the Bengal Account.

(c) These Sums include the Charges incurred on account of His Majesty's government, which were settled by the Act of the 3 Geo. 4. c. 93.

East India House,
13th May 1824.

(Errors excepted.)

JAMES C. MELVILL,
Ass^t D^r Aud. of India Acco^{ts}.

No. 9.—Abstract Statement Receipts and Disbursements - BENGAL Government - - - - pp. 22—31
No. 10. - - - - - D° - - - - - MADRAS Government - - - - pp. 32—35
No. 11. - - - - - D° - - - - - BOMBAY Government - - - - pp. 36—41
No. 12. - - - - - D° - - - - - BENCOOLEN and its Dependencies, pp. 42 & 43
No. 13. - - - - - D° - - - - - PRINCE OF WALES ISLAND - pp. 44 & 45

No. 14.—Balance of QUICK STOCK, &c. at the end of 1821/22 - - - - - - - pp 46 & 47
No. 15.—Amount of BOND and other DEBTS - - - - - - - - - - - - pp. 48—50

Dr - - - - - - No. 9.—Abstract STATEMENT of the Receipts and Disbursements

To BALANCE—Amount remaining in the following Departments on 30th April 1821:				Sicca Rupees.
CIVIL DEPARTMENT:				
General - - - - - - - - - - - - -		2,74,21,384		
Judicial - - - - - - - - - - - - -		4,37,814		
Revenue - - - - - - - - - - - -		2,75,53,557		
Salt and Opium - - - - - - - - - - -		9,67,846		
Marine - - - - - - - - - - - - -		3,813	5,63,84,414	
MILITARY DEPARTMENT - - - - - - - - -		- - -	18,04,120	5,81,88,534
ORDINARY RECEIPTS:				
CIVIL DEPARTMENT				
General:				
Sale of Presents, &c. - - - - - - - - - -		71,770		
Commission on Law Suits, including Fees and Fines at Delhi -		32,997		
Mint Duties - - - - - - - - - - -		4,33,987		
Stamp Duties - - - - - - - - - - - -		18,40,843	23,79,595	
Judicial:				
Licences for the Sale of Spirituous Liquors - - - - -		2,19,921		
Duty on Spirits manufactured at Distilleries - - - -		38,486		
Fees and Fines of the Justices, &c. - - - - - - -		20,809		
D° - - D° - of the Provincial Courts - - - - - -		1,82,476		
Police: Rent of resumed Thanadaree Lands - - - -		69,157	5,30,849	
Revenue:				
Land Revenues on account the current year - -	2,76,16,253			
D° - - D° - - D° - former years - -	21,04,020			
Syer Collections, including Abkaree - - - -	21,17,460	3,18,37,733		
WESTERN PROVINCES, including BENARES:				
Land Revenues on account the current year - -	3,55,86,281			
D° - - D° - - D° - former years - -	12,07,395			
Syer Collections, including Abkaree - - - -	20,97,093	3,88,90,769		
Ceded Territory, Nerbuddah Collections of Land Revenue, Syer, &c. - - - - - - - - - - -		52,01,895		
Customs and Town Duties - - - - - -	40,81,175			
D° - - D° - in the Western Provinces and Benares	34,40,270	75,21,445		
Opium, Sale of - - - - - - - - - - -		97,00,631		
Salt, - - D° - - - - - - - - - - -		1,76,59,120		
Post Office Collections - - - - - - - - - -		4,61,205	11,12,72,798	
Marine:				
Collections for Pilotage - - - - - - - - - -		1,30,233		
Hire of Moorings, Light House Duty, &c. - - - - -		1,26,587		
Collections for Row Boats, &c. - - - - - - - -		46,165	3,02,985	11,44,86,227
Carried forward - - -		- - -	- - -	17,26,74,761

of the BENGAL Government, from 1st May 1821 to 30th April 1822 - - - - Cr.

By ORDINARY DISBURSEMENTS:				Sicca Rupees.
CIVIL DEPARTMENT.				
General:				
Durbar Charges, &c.		4,18,427		
Embassies to Native Courts		13,54,259		
Temporary Embassies		8,89,997		
His Majesty's Embassy to Persia		25,974		
Pay of Auxiliary Troops, agreeably to Treaty with Scindia		8,80,246		
Allowances to State Prisoners, &c.		28,136		
Salaries of the Governor General and Council		5,47,382		
Public Offices and Establishments at the Presidency, &c.		23,16,692		
Provincial Battalions		11,54,166		
Nizamut Stipends		17,12,453		
Pensions and Charitable Allowances		84,939		
Mint and Assay Offices		4,06,230		
Stamp Office		5,31,824		
Stationery		34,430		
			1,03,85,155	
Judicial:				
Supreme Court of Judicature, and sundry Law Charges		4,79,777		
Justices of the Peace, Coroner, &c.		2,70,556		
Sudder Dewanny, and Nizamut Adawluts		3,91,332		
Provincial Courts of Appeal		8,24,205		
City and Zillah Adawluts		20,59,545		
Diet of Prisoners		3,03,276		
Provincial Police		8,52,744		
Pensions to Hill Chiefs, &c.		26,934		
		52,08,369		
WESTERN PROVINCES, including BENARES:				
Provincial Courts of Appeal	4,03,553			
City and Zillah Adawluts	13,77,616			
Diet of Prisoners	2,56,123			
Provincial Police, Stationery, &c.	9,58,454			
		29,95,746		
Revenue:			82,04,115	
Board of Revenue and Establishments	2,46,249			
Charges collecting the Land Revenue and Syer	16,35,928			
Poolbundy	1,66,928			
Pensions and Charitable Allowances, &c.	6,19,691			
		26,68,796		
WESTERN PROVINCES, including BENARES:				
Salaries of Commissioners, Accountant, &c.	2,28,404			
Charges collecting the Land Revenue and Syer	26,05,935			
Pensions and Charitable Allowances, including those to the Royal Families of Delhi and Benares	42,47,493			
		70,81,832		
Ceded Territory: Charges under this Head		11,69,310		
Customs: Charges in Lower Provinces	5,99,066			
- - - D° in Western D°	4,26,966			
		10,26,032		
Opium: Advances and Charges		8,40,938		
Salt: Advances and Charges	47,48,420			
Commission to Salt Agents	3,99,607			
		51,48,027		
Stationery: Charges on account the Revenue Branch		21,045		
Post Master General: Charges of his Office		4,15,238		
			1,83,71,218	
Carried forward		- - -	3,69,60,488	

Dr - - - - - - - - No. 9.—Abstract STATEMENT of the Receipts and Disbursements

			Sicca Rupees.
Brought forward - - -			17,26,74,761
EXTRAORDINARY RECEIPTS:			
CIVIL DEPARTMENT:			
General:			
Six per Cent Loans of 1818, 1819, and 1820 - - - -		17,500	
Six per Cent Loan of 31st March 1822 - - - - - -		12,77,97,700	
Bengal remittable Loan - - - - - - - - - -		4,79,30,000	
Treasury Notes not bearing Interest - - - - - - -		71,11,500	
Interest on Calcutta Bank Shares - - - - - - -		58,021	
Bills outstanding on 30th April 1822 - - - - - -		1,15,75,159	
Interest on Securities purchased by Commissioners for Reduction of Debt - - - - - - - - - -		2,21,170	
Revenues of Sumbulpore, Neemaur, &c. - - - - - -		58,046	
House Tax in Town of Calcutta - - - - - - -		2,05,183	
Civil and Military Funds - - - - - - - - -		84,770	
Deductions from Civil Servants, for leave of absence - - -		1,95,201	
Loans to certain Individuals received back - - - -		25,500	
Fines, &c. levied from Artificers of Calcutta Mint - - -		11,884	
Deposits of Military Estates, &c. - - - - - - -		33,160	
Received by Committee for improving City of Calcutta - -		3,68,427	
Nizamut Stipend Establishment - - - - - - -		49,561	
Miscellaneous Receipts - - - - - - - - -		75,965	
		19,58,18,747	
Account Current, London:			
Bills on Court, for Interest on Debt - - -	1,19,37,543		
D° - - D° on account King's Troops, &c. - -	35,833		
Certificates granted to Commander of H. C. S. "Rose,"	29,083		
Advances to Orphan Society in England, received back	46,194		
Balance due from King of Oude for Iron Bridge, &c. -	69,376		
		1,21,18,029	
Sale of Political Stores - - - - - - - - - -		1,20,937	
HIS MAJESTY'S GOVERNMENT:			
Bills drawn on the different Boards in England, for Advances from Bengal, Madras and Bombay -	8,92,065		
Payments on account Military at Ceylon - -	3,174		
		8,95,239	
SUPPLIES from other PRESIDENCIES:			
Fort St. George:			
Interest paid on Bengal Loan - - - - -	32,30,020		
Promissory Notes of Loan of 1811, transferred -	2,40,53,500		
D° - D° - of Loans from 1813 to 1820, d° -	81,40,900		
Advances on account H. M. Government - - -	3,20,259		
D° - to the Residents at Hydrabad, Nagpore, &c. -	4,94,694		
Bills drawn on Madras by Sub-Treasurer - - -	2,10,000		
Invoice of Bullion and Coins, per H. M. S. "Glasgow"	27,86,101		
Advances to Military and Marine Officers - - -	33,867		
Supplies to Commercial Branch - - - -	27,211		
		3,92,96,552	
Carried forward - - -		24,82,49,504	17,26,74,761

of the Bengal Government—*continued.* - - - - - - - - - - - - - - - - - Cr

ORDINARY DISBURSEMENTS—*continued.*					
Civil Department—*continued* - - Brought forward - - - -			- - -	3,69,60,488	
Marine:					
Established and Contingent Charges - - - - - - -			2,26,406		
Moorings at Calcutta, Diamond Harbour, &c. - - - - -			96,184		
Expenses of Pilot Schooners and Buoys - - - - - -			4,21,678		
Light House at Kedgeree, &c. - - - - - - - - -			60,028		
Ships employed on Surveys - - - - - - - -			1,08,420		
Miscellaneous, including Pensions - - - - - - -			77,534		
				9,90,250	
MILITARY DEPARTMENT					
Pay and Allowances to King's and Company's Troops - -			2,69,44,410		
Advances to the Commissariat - - - - - - - -			65,22,146		
Expense of Stud at Poosah, &c. and purchase of Cattle - -			3,26,738		
Off-Reckoning Stoppages - - - - - - - - -			8,00,000		
Expenses of the Lower Orphan School - - - - - -			50,698		
Detachment at Prince of Wales Island - - - - - -			1,85,895		
Do - at Bencoolen and Sincapore - - - - - -			2,31,440		
				3,50,61,327	7,30,12,065
EXTRAORDINARY DISBURSEMENTS:					
CIVIL DEPARTMENT:					
General:					
Interest on the Debt, Cash - - - - - -		43,14,295			
Bills on Court - -		1,13,41,136			
			1,56,55,431		
Loans and Notes paid off - - - - - - - - -			18,64,34,161		
Bills outstanding on 30th April 1821 - - - - - - -			77,09,679		
Advances for Buildings, Dead Stock, &c. - - - - - -			8,33,736		
Civil and Military Funds, including Allowances to the Managers -			1,29,764		
Charges on account the Assessment Establishment - - -			2,75,532		
Advances to the Committee for improving the Town of Calcutta -			8,19,990		
Road to Juggunauth - - - - - - - - -			49,038		
Loans and Advances to Natives - - - - - - - -			1,00,038		
Tribute to Holkar - - - - - - - - - - -			46,504		
College at Fort William - - - - - - - - - -			1,23,236		
Nizamut Stipend Establishment - - - - - - -			20,835		
Account Current, London:					
Amount of Treasure transmitted from India -		1,66,06,176			
Bills on account His Majesty's Government - -		9,37,928			
Lord Clive's Donation - - - - -		21,196			
Bill drawn in favour of Bishop of Calcutta - -		45,283			
Miscellaneous - - - - - - - - -		6,586			
		1,76,17,169			
HIS MAJESTY'S GOVERNMENT:					
Advances at Madras and Bombay on account H. M. Navy - - - - - - - -		7,77,930			
Mauritius					
Bills drawn - - - - - - -	29,420				
Invoices of Treasure, per "Wizard," -	3,43,869				
Cost and Charges on Rice, &c. - -	4,77,344				
Supplies from Commercial Branch -	4,05,411				
Disbursements in Marine and Military Departments - - - -	3,362				
		12,59,406			
Ceylon					
Disbursements in Marine, Commercial, and Military Departments - - - - - - - -		24,069			
			1,96,78,574		
SUPPLIES to other PRESIDENCIES					
Java					
Disbursements in the Military Department - - - -			11,786		
Moluccas:					
Disbursed in Military Department - - - - - - -			46		
Carried forward - - -			23,18,88,350	- - -	7,30,12,065

Dr - - - - - No. 9.—Abstract STATEMENT of the Receipts and Disbursements

						Sicca Rupees.
EXTRAORDINARY RECEIPTS—*continued.* Brought forward - - -						17,26,74,761
CIVIL DEPARTMENT:						
General—*continued* - - - and - - - Brought forward - -				24,82,49,504		
SUPPLIES from other PRESIDENCIES—*continued.*						
Bombay:						
Interest paid on Bengal Loan - - - - -			12,38,233			
Promissory Notes of Loan of 1811 transferred -			58,39,300			
D° - D° of Loans of 1813 to 1820 - d° - -			57,24,000			
Invoice of Specie, per H M. S. "Ganges" - -			28,17,898			
Advances on account H. M. Government - -			4,48,802			
Bills drawn by Political Agents, &c. - - -			66,810			
Payments to Military Officers, &c. - - -			33,874			
Supplies to Commercial Branch - - - -			6,675			
				1,61,75,592		
Fort Marlbro':						
Advances to the Military - - - - - -			2,17,111			
Supplies to Commerce - - - - - -			2,255			
				2,19,366		
Prince of Wales Island						
Advances to the Military - - - - - -			1,78,714			
D° on account H. M. Govt received back - -			15,580			
				1,94,294		
SUPPLIES from the COMMERCIAL BRANCH:						
Sale of Imports and Exports - -		29,06,846				
Amount of Stores issued -	5,62,328					
D° to Mauritius and Ceylon - - -	4,15,046					
		9,77,374				
Miscellaneous Receipts - - -		17,720				
			39,01,940			
Profit and Loss:						
Premium on Loan Subscriptions, March 1822 - - - - -		1,48,527				
Gain on Remittances and Bills drawn -		82,527				
Batta, a' 4/5 per cent on Benares and other Rupees - - - - -		1,25,327				
		3,56,381				
Deduct,						
Loss on recoinage, &c. - - -		39,387				
			3,16,994			
				42,18,934		
					26,90,57,690	
Judicial:						
Deposits - - - - - - - - - -			37,33,928			
Charges refunded - - - - - - -			15,147			
Fauzil Remittances - - - - - - -			50,769			
Miscellaneous Receipts - - - - - -			9,858			
				38,09,702		
WESTERN PROVINCES.						
Deposits - - - - - - - - - -			10,68,957			
Charges refunded - - - - - - -			7,874			
Fauzil Remittances, &c. - - - - - -			58,056			
				11,34,887		
					49,44,589	
Revenue:						
Deposits - - - - - - - - - -			32,01,674			
Fees, Fines, and Forfeitures - - - -			34,194			
Sale of Lands, &c. - - - - - -			15,944			
Gain by Batta - - - - - - -			20,402			
Repairs of Embankments - - - - -			63,908			
Charges refunded - - - - - -			4,654			
				33,40,776		
Carried forward - - -				33,40,776	27,40,02,279	17,26,74,761

of the BENGAL Government—*continued.* - - - - - - - - - - - - - - - - - - Cr

				Sicca Rupees.
EXTRAORDINARY DISBURSEMENTS—*continued.*		Brought forward - - -		7,30,12,065
CIVIL DEPARTMENT:				
General—*continued* - - - and - - - Brought forward - -		23,18,88,350		
SUPPLIES to other PRESIDENCIES—*continued.*				
Port Jackson				
Disbursed in Military Department - - - - - - -		122		
St. Helena.				
Disbursed in the Commercial Department - - - - - -		22,735		
Fort St. George:				
Bills drawn by the Resident at Hydrabad, &c. -	35,30,340			
Expenses on account the Mysore Princes - -	3,56,269			
Drafts on Bengal for Interest - - - -	9,107			
Advances to the Rajah of Tanjore - - -	3,28,553			
Part of Salaries of Carnatic Commissioners - -	66,333			
Subscriptions to Loans of 1818, 1819 and 1820 -	4,400			
D° - to Loan of 31st March 1822 - - -	2,46,75,500			
Bengal Remittable Loan of 30th June 1822 - -	81,40,900			
Advances made from the Nagpore Treasury - -	13,78,143			
Payments made in the Military Department - -	95,183			
Supplies from the Commercial Branch - - -	10,183			
		3,85,94,911		
Bombay				
Bills drawn by that Government on the general Treasury - - - - - - - -	16,37,840			
D° - by the Field Paymaster on D° - - -	2,80,000			
D° - by the Ass^t Resident at Bussorah - -	55,000			
D° - by the Deputy Opium Agent at Malwa -	33,03,500			
Drafts for Interest on Promissory Notes - -	2,994			
Supplies from the Commercial Branch - - -	2,63,735			
Subscriptions to Loan of March 1822 - - -	83,70,400			
Bengal Remittable Loan of June 1822 - - -	57,24,000			
Payments to Bajee Row, &c. - - - -	10,85,174			
D° - in the Marine and Military Departments -	1,17,540			
		2,08,40,183		
Fort Marlbro'				
Bills drawn by the Lieutenant Governor - -	11,80,305			
Supplies from the Commercial Branch - -	34,044			
Remaining Moiety of Freight of Rice, per "Frances" - - - - - - -	26,000			
Payments in Marine Department, &c. - - -	32,185			
Bills drawn by Resident at Singapore - - -	1,58,138			
		14,30,672		
Prince of Wales Island.				
Bills drawn by that Government - - - -	4,76,408			
Cost of Rice received per "Liverpool" - -	56,351			
Supplies from the Commercial Branch - - -	65,366			
Payments in Marine and Military Departments -	24,568			
		6,22,693		
SUPPLIES to the COMMERCIAL BRANCH:				
Advances for the Investment - - - - -	1,25,27,946			
Duty on - - Ditto - - - - - -	2,58,912			
Salaries of the Members of the Board of Trade, &c.	2,94,683			
Stores from Madras, Bombay, Bencoolen, &c. -	38,388			
Sale of Copper Sizel from Benares Mint - -	18,560			
Charterparty Allowance and Demurrage - -	57,238			
Miscellaneous Payments - - - - -	15,792			
	1,32,11,519			
Canton.				
Bills drawn by the supra Cargoes - - - - -	35,23,257			
		1,67,34,776		
			31,01,34,442	
Carried forward - - -		- - -	- - -	7,30,12,065

Dr - - - - - - - - No. 9.—Abstract STATEMENT of the Receipts and Disbursements

				Sicca Rupees.
EXTRAORDINARY RECEIPTS—*continued.* Brought forward - - -				17,26,74,761
CIVIL and JUDICIAL DEPARTMENTS - - - - Brought forward - -			27,40,02,279	
Revenue Department—*continued* - - and - - Brought forward -		33,40,776		
WESTERN PROVINCES				
Tuckavee - - - - - - - - - -	4,97,820			
Deposits - - - - - - - - - -	53,07,513			
Fees, Fines and Forfeitures - - - - - -	80,408			
Gain by Batta - - - - - - - - -	7,262			
Sale of Land and Unclaimed Property - - -	16,755			
Bussahir Tribute Fund at Subathoo - - -	23,267			
Charges refunded - - - - - - - - -	11,872			
Duty on Oude Salt - - - - - - -	42,360			
Dustuckana and other Receipts - - - - -	19,425	60,06,682		
Customs:				
Deposits - - - - - - - - - -	51,257			
Godown Rent - - - - - - - - -	15,496			
Fees, Fines, &c. - - - - - - - - -	13,926			
Sale of Confiscated Goods, &c. - - - - -	18,726	99,405		
Opium:				
Charges refunded - - - - - - - - - - - -		3,916		
Salt.				
Sale of Confiscated - - - - - - - -	38,800			
Rowannah Fees and Calary Rents - - - - -	39,478			
Charges refunded - - - - - - - - -	9,269			
Advances for Rice received back - - - - -	8,550	96,097		
Marine:				
Sale of Ships "Nearchus" and "Minto" - -	38,895			
Balances in Marine Registry Office - - - -	69,386	1,08,281		
			96,55,157	
			28,36,57,436	
MILITARY DEPARTMENT:				
Off-Reckonings Stoppages - - - - - - -	8,00,000			
Sales of Horses - - - - - - - - -	1,24,754			
Hospital Stoppages - - - - - - - -	88,432			
King's and Company's Commission Fees - - - -	21,070			
Sale of Stores and Grain - - - - - - -	6,969			
Miscellaneous Receipts - - - - - - -	20,908	- - -	10,62,133	
				28,47,19,569
TOTAL TERRITORIAL DEPARTMENT - - Sicca Rupees - -				45,73,94,330

of the BENGAL Government—*continued.* - - - - - - - - - - - - - - - Cr

				Sicca Rupees.
EXTRAORDINARY DISBURSEMENTS—*continued.* Brought forward - - -				7,30,12,065
CIVIL DEPARTMENT—*continued.*				
General—*continued* - - - and - - - Brought forward - -		- - -	31,01,34,442	
SUPPLIES to other PRESIDENCIES—*continued*				
Judicial				
Deposits - - - - - - - - - -	37,53,584			
Fauzil Remittances - - - - - - -	56,448			
Purchase of Buildings, &c. - - - - - -	68,595			
		38,78,627		
WESTERN PROVINCES:				
Deposits - - - - - - - - - -	9,39,256			
Fauzil Remittances - - - - - - -	14,481			
Buildings - - - - - - - - - -	3,781			
		9,57,518		
Revenue:			48,36,145	
Deposits - - - - - - - - - -	21,87,484			
Revenue refunded - - - - - - -	16,155			
Calary Rents, Law Charges, &c. - - - - -	16,565			
Charges on Remittances - - - - - -	8,657			
Miscellaneous Disbursements - - - - - -	9,212			
		22,38,073		
WESTERN PROVINCES:				
Tuckavee - - - - - - - - - -	3,98,647			
Deposits - - - - - - - - - -	54,05,344			
Revenue refunded - - - - - - - -	1,53,457			
Law Charges, Tehsildaree refunded, &c. - - -	40,067			
Buildings - - - - - - - - - -	10,047			
Charges Remittances - - - - - - -	20,264			
Collections at Goruckpore carried off by Robbers -	26,166			
		60,53,992		
Customs				
Deposits - - - - - - - - - -	48,681			
Value of Salt detained at Agra refunded, &c. - -	10,116			
		58,797		
Opium:				
Charges and Rewards on Confiscated - - - - - -		9,685		
Salt:				
Charges on Confiscated - - - - - - -	6,908			
Rowannah and other Fees - - - - - -	18,074			
Advances for Rice - - - - - - -	7,354			
		32,336		
Marine:			83,92,883	
Advances to Master Builder, Deposits, &c. - - - -		1,17,912		
Buildings - - - - - - - - - - -		7,332		
			1,25,244	
MILITARY DEPARTMENT:				
Off-Reckonings, and Compensation in lieu of Clothing - -		3,93,270	32,34,88,714	
Paid on Shares of Mahratta and other Prize Money - - -		9,700		
			4,02,970	
				32,38,91,684
BALANCE:—Amount remaining in the following Departments, on 30th April 1822:				39,69,03,749
CIVIL DEPARTMENT:				
General - - - - - - - - - - - -		2,39,65,312		
Judicial - - - - - - - - - - - -		4,15,532		
Revenue - - - - - - - - - - - -		3,50,76,879		
Marine - - - - - - - - - - - -		3,688		
			5,94,61,411	
MILITARY DEPARTMENT - - - - - - - - - - -			10,29,170	
				6,04,90,581
TOTAL TERRITORIAL DEPARTMENT - - Sicca Rupees - -				45,73,94,330

Dr - - - - - - - - - No. 9.—Abstract STATEMENT of the Receipts and Disbursements

			Sicca Rupees.
To BALANCE.—Amount remaining in this Department on 30th April 1821 -		- - -	16,17,629
ORDINARY RECEIPTS:			
Supplies from the Territorial Revenue - - - - - - - -	1,29,49,191		
Bills drawn by the Supra Cargoes in 1821/22 - - - - - -	35,23,257		
Supplies from the Mint Masters at Benares - - - - - -	18,560		
Customs at the Export and Import Warehouses - - - - -	2,58,912		
Sale of Presents, Stationery, and Sundry Receipts - - -	15,850		
Naval Storekeeper, Supplies under this head - - - - - -	67,945		
Supplies from Madras, Bombay, Bencoolen and Canton - - -	46,881	1,68,80,596	
Sale of Imports - - - - - - - - - - - - - - -		29,62,099	1,98,42,695
EXTRAORDINARY RECEIPTS:			
Investment:			
Sale of Export Goods - - - - - - - - - - - - -		2,04,924	
Balance of former Years - - - - - - - - - - - -		29,688	
Sunn on account H. M. Government; Balances - - - - - - -		3,983	
Bills payable:—Commission due to the Residents - - - - - - -		5,51,010	
Profit and Loss - - - - - - - - - - - - - - -		25,115	
Buildings and Dead Stock and other Receipts - - - - - - -		15,454	
Commercial Charges General - - - - - - - - - - -		1,78,284	
Suspence Charges on Indian Goods - - - - - - - - - -		2,17,680	
Deposits - - - - - - - - - - - - - - - -		6,953	
Loan paid into the General Treasury - - - - - - - - - -		25,000	12,58,091
TOTAL COMMERCIAL DEPARTMENT - - Sicca Rupees			2,27,18,415

East India House,
13th May 1824.

(Errors excepted.)

in the Commercial Department in BENGAL in 1821/22 - - - - - - - - - - - Cr

			Sicca Rupees.
By ORDINARY DISBURSEMENTS:			
CHARGES GENERAL:			
Salaries of the Members of the Board of Trade - - -	62,062		
Public Offices, under - Do - at the Presidency - - -	1,18,644		
Export Warehouse:—Salaries and Establishments, &c. - -	1,04,373		
	2,85,079		
Factories - - Do - - Do - - - - -	2,14,238		
Pensions - - - - - - - - - - - - -	6,130		
Stationery - - - - - - - - - - - - -	5,577		
Superintendent of the Baggage Department - - - -	3,300		
		5,14,324	
Investment:			
Advances and Charges - - - - - - - - - -	1,04,67,864		
Commission on above - - - - - - - - -	4,32,826		
At the Export Warehouse:	1,09,00,690		
Purchase of and Charges on Goods, Proportion of Salary, Sundry Supplies, &c. including Customs - - - - - - -	18,34,273		
	1,27,34,963		
Deduct,			
Cost of Goods sent to different Presidencies - - - -	25,56,730		
		1,01,78,233	
Imports:			
Charges on account the Establishment of the Import Warehouse	50,862		
Do - Merchandize - - - - - - - - - -	43,315		
Do - on Consignments to Upper Provinces - - -	42,307		
Mint at Benares - - - - - - - - - - -	18,560		
Customs - - - - - - - - - - - - -	33,796		
Charges on account other Presidencies, &c. - - - -	49,799		
		2,38,639	
Territorial Books:			1,09,31,196
Canton —Bills drawn by Supra-Cargoes in 1821/22 - - -	35,23,257		
—— Advances on account shipment of Treasure for Canton	16,435		
		35,39,692	
Commercial Charges General, &c. - - - - - - -	47,453		
Loan paid into the General Treasury - - - - - -	25,000		
Value of Buildings, &c. in the Military, Judicial, and Marine Departments - - - - - - - - - - -	8,701		
		81,154	
Proceeds of Import Sales: Paid into the Treasury, &c. - -	27,73,717		
——— - - - Amount of Supplies - - -	99,821		
		28,73,538	
Proceeds of Exports:—Paid into the Treasury - - -	70,408		
——— - - - Supplies to H. M. Government, &c. -	26,71,768		
		27,42,176	
Post Master General:—Sundry Payments under this head - - - -		5,844	
			92,42,404
EXTRAORDINARY DISBURSEMENTS:			
Buildings and other Dead Stock - - - - - - - - -		2,99,768	
Account Current London - - - - - - - - - - -		33,182	
Cape of Good Hope - - - - - - - - - - - -		10,659	
Bills payable:—Commission to the Residents - - - - - -		6,53,521	
Commercial Charges General, &c. - - - - - - - - -		67,624	
			10,64,754
			2,12,38,354
By BALANCE - - - - - - - - - -			14,80,061
TOTAL COMMERCIAL DEPARTMENT - - Sicca Rupees			2,27,18,415

JAMES C. MELVILL,
Asst Dr Aud. of India Accots.

Dr - - - No. 10.—Abstract STATEMENT of the Receipts and Disbursements of the

To BALANCE:—Amount remaining in the following Departments on 30th April 1811:				Rupees.
GENERAL DEPARTMENT		1,08,29,314		
Revenue		1,27,83,581		
Marine		1,992		
			2,36,14,887	
MILITARY DEPARTMENT		- - -	33,49,609	
				2,69,64,496
ORDINARY RECEIPTS:				
GENERAL DEPARTMENT:				
Post Office Collections		2,15,100		
Peishcush and Subsidy from Mysore, Travancore and Cochin		34,19,778		
Mint Duties		1,12,144		
Durbar Presents, &c.		21,503		
			37,68,525	
Revenue:				
Presidency and Subordinates:				
Land Revenues, Current year	75,40,362			
Do - - Balances	7,10,341			
Customs	19,81,353			
		1,02,32,056		
Ceded and Conquered Countries:				
Land Revenues, Current year	2,65,17,355			
Do - - Balances	16,35,490			
Customs	35,37,878			
		3,16,90,723		
Salt: Receipt from the Sale of		31,85,763		
Stamp Duties		5,66,508		
Extra Revenues		2,22,004		
			4,58,97,054	
Judicial:				
Receipts in the Zillah and Provincial Courts, &c.		- - -	1,59,958	
Marine				
Receipts on Bonds, &c.		- - -	65,219	
Military:				
Provision Department, &c.		- - -	7,14,503	
				5,06,05,259
EXTRAORDINARY RECEIPTS:				
Advances to Civil Architect repaid		86,850		
Gain on Exchange		58,499		
Received from Nabob and Family, account Advances repayable		7,200		
Do - - Mysore Government		29,627		
Value of Stationery issued for the Public Service		74,245		
Advances by Court repaid		5,05,559		
Deposits		48,83,288		
Funds of Public Institutions		10,92,020		
Carnatic Deposit and Interest		19,65,641		
Received from Government Bank		9,74,143		
Do - Account Deccan Prize Funds		1,28,148		
Miscellaneous		15,319		
Account Current, London:		98,20,539		
Bills drawn	25,68,292			
Supplies from Ceylon, &c.	74,111			
		26,42,403		
Carried forward		1,24,62,942	- - -	7,75,69,755

MADRAS Government, from 1st May 1821 to 30th April 1822 - - - - - - - - Cr.

				Rupees.
By ORDINARY DISBURSEMENTS:				
GENERAL DEPARTMENT:				
Salaries of the Governor and Council		2,62,920		
Durbar Charges and Governor's Office and Establishment		3,32,563		
Allowance to Officers of His Majesty's Squadron		73,864		
Salaries and Establishments at the Presidency and Subordinates		14,10,979		
Interest account, Payments on Loans, Deposits, &c.		13,06,094		
Stipends and Allowances				
To the Nabob of the Carnatic	11,43,187			
To Families and Dependents of late Nabobs	7,41,208			
To the Rajah of Tanjore	10,16,733			
To the Nabob of Masulipatam	48,644			
To Families of the late Tippoo and Hyder Ally	2,19,719			
Expense of the Mysore Princes in Bengal	3,30,750			
Pensions at the Presidency and Subordinates	1,03,180			
Contributions to Public and Charitable Institutions	91,214			
		36,94,635		
Hospitals and Vaccine Establishments		95,886		
			71,76,941	
Judicial:				
Supreme Court of Judicature and Law Officers		1,86,050		
Justices of the Peace, Law Charges, &c.		1,14,250		
Police Charges at the Presidency		52,706		
Sudder Dewanny, Fouzdarry and Zillah Adawluts		29,98,107		
			33,51,113	
Revenue:				
Board of Revenue, and Officers at the Presidency	2,38,356			
Charges Collection at the Presidency and Subordinates	8,62,801			
		11,01,157		
Do - - in the Ceded and Conquered Countries		31,88,261		
Customs: Charges Collection		10,38,307		
Salt - - - Do		9,57,913		
Stamp Charges		86,802		
Pensions and Charitable Allowances		10,01,712		
Peishcush for the Northern Circars		6,30,630		
Rajah's share of Revenue in Malabar		2,58,188		
			82,62,970	
Marine:				
Salaries and Establishments			1,20,035	
			1,89,11,059	
MILITARY DEPARTMENT:				
Pay and Allowances, including King's Troops		1,92,80,772		
General Staff and Military Officers		14,68,643		
Ordnance, Medical, and Camp Equipage Departments.		23,20,155		
Commissariat		39,44,968		
			2,70,14,538	
				4,59,25,597
EXTRAORDINARY DISBURSEMENTS:				
Buildings and Repairs		1,72,503		
Charges on Treasure		28,399		
Carnatic Commissioners		34,301		
Do - Deposit of the Current year		11,90,000		
Advances to Civil Architect, &c.		53,500		
Commercial Stores expended in Civil Department		45,981		
Advances, account Government Lottery, repayable		78,336		
Bills payable		1,62,323		
Deposits repaid		50,16,099		
Funds of Public Institutions repaid		9,20,509		
Miscellaneous		4,46,982		
Account Current, London:		81,48,933		
Advances, account Ceylon		82,229		
Carried forward				4,59,25,597

Dʳ - - - - - - - No. 10.—Abstract STATEMENT of the Receipts and Disbursments

Brought forward - - -		1,24,62,942	- - -	7,75,69,755
SUPPLIES from other PRESIDENCIES:				
Bengal:				
Bills drawn - - - - - - - - -	39,08,211			
Subscriptions to Loans - - - - - - -	6,54,216			
Expense of Mysore Princes - - - - - -	3,30,750			
Supplies by Resident at Nagpore - - - - -	13,53,168			
Advances at Bengal to Rajah of Tanjore recovered -	3,05,202			
Received by Paymaster to Hydrabad Subsidiary Force, from Sallabut Khan - - - -	74,766			
Supplies from Mauritius and Java - - - -	8,339			
Miscellaneous Supplies - - - - - - -	1,24,031	67,58,683		
Bombay.				
Supplies to Paymaster in Southern Mahratta Country	11,10,000			
Recoveries and Transfers credited by Paymasters, &c.	2,94,888	14,04,888	2,06,26,513	
Revenue:				
Recoveries of Tuckavy, &c. - - - - - - - -		13,56,751		
Charges refunded - - - - - - - - - -		2,46,730		
Gain by Exchange - - - - - - - - - -		60,168	16,63,649	
Military:				
Sale of Stores, &c. - - - - - - - - - -		- - -	1,55,458	2,24,45,620
TOTAL TERRITORIAL - - Rupees				10,00,15,375
COMMERCIAL:				
To BALANCE: Amount remaining on 30th April 1821 - -		- - -	7,54,001	
Sales of Imports and Exports - - - - - - - -		4,15,290		
Issues for the Public Service - - - - - - - -		2,17,364		
Recoveries of Advances for Investment, &c. - - - -		3,52,861	9,85,515	
TOTAL COMMERCIAL - - Rupees				17,39,516
Rupees				10,17,54,891

East India House,
13th May 1824.

of the MADRAS Government—*continued.* - - - - - - - - - - - - - - - - Cr.

				Rupees.
Brought forward - - -				4,59,25,597
SUPPLIES to other PRESIDENCIES				
Bengal				
Interest on Securities - - - - - - -	33,73,028			
Bills drawn from Persia - - - - - - -	41,515			
Residency at Hydrabad - - - - - - -	2,11,912			
Remittance of Bullion to England - - - -	30,00,094			
Advances to Resident at Nagpore, &c. - - -	5,58,652			
Do - to Naval Commissioner - - - -	2,93,762			
Supplies to Mauritius, &c. - - - - - -	42,670			
Miscellaneous - - - - - - - -	2,29,240			
		77,50,873		
Bombay				
Paid account Concan Prize Money - - - - -	28,671			
Remittance of Specie from Treasuries on Malabar Coast, &c. - - - - - - - -	24,79,419			
Receipts, account Travancore Treasury - - -	1,28,000			
Supplies of Coir from Canara, &c. - - - -	36,243			
Miscellaneous - - - - - - - -	1,52,933			
		28,25,266		
			1,88,07,301	
Revenue:				
Tuckavy Advances, &c. - - - - - - - - - -		- - -	13,59,076	
MILITARY DEPARTMENT:				
Buildings and Repairs - - - - - - - - -		5,45,952		
Arrears of former years, &c. - - - - - - - -		9,25,217		
Extraordinary and Contingent Charges - - - - -		18,58,249		
			33,29,418	
BALANCE:—Amount remaining in the following Departments, on 30th April 1821:				
GENERAL DEPARTMENT - - - - - - - - -		1,22,78,570		
REVENUE - - - - - - - - - - - - - -		1,35,85,163		
MARINE - - - - - - - - - - - - - -		380		
MILITARY - - - - - - - - - - - - - -		17,84,883		
			2,76,48,996	
				5,11,44,791
Floating BALANCES of the year - - - -				9,71,601
TOTAL TERRITORIAL - - Rupees				9,80,41,989
COMMERCIAL:				
Board of Trade - - - - - - - - - -		88,099		
Establishment at the Presidency and Subordinates, &c. - -		3,41,206		
Advances for Investment - - - - - - - -		25,27,851		
		29,57,156		
Account Current, London:				
Demurrage, &c. to Europe Ships - - - - -	1,750			
Payments on account Ceylon Cinnamon Investment -	2,48,962			
		2,50,712		
			32,07,868	
BALANCE—Amount remaining on 30th April 2821 - - - - - -			5,05,034	
TOTAL COMMERCIAL - - Rupees				37,12,902
Rupees				10,17,54,891

(Errors excepted.)

JAMES C. MELVILL,
Asst Dr Aud. of India Accots.

D^r - - - - No. 11.—Abstract STATEMENT of the Receipts and Disbursements of

To BALANCE:—Amount remaining in the following Departments, on 30th April 1821:				Rupees.
CIVIL DEPARTMENT:				
General		34,22,063		
Revenue		62,12,689		
Marine		97,056		
			97,31,808	
MILITARY DEPARTMENT:		- - -	22,23,388	
				1,19,55,196
ORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Post Office and Mints		1,25,452		
Stamp Duty		1,79,026		
			3,04,478	
Revenue:				
Land Revenue and Sayer at the Presidency	4,20,735			
D° - - D° - - - Subordinates	17,06,150			
D° - - D° in Ceded and Conq^d Countries	1,55,68,545			
		1,76,95,430		
Customs:				
Collection of Duties at the Presidency	10,28,624			
D° - - D° - - Subordinates, and in the Ceded and Conq^d Countries	24,05,084			
		34,33,708		
			2,11,29,138	
Judicial:				
Fees and Fines in Country Courts		- - -	48,798	
Opium: Sale of		- - -	33,89,333	
Marine: Hire of Dry Docks, Mooring Chains, &c.		- - -	1,72,572	
				2,50,44,319
EXTRAORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Bills payable, outstanding		51,640		
Jooira, Umrun, and Balumba		1,66,000		
Sale of Jewels, &c. belonging to the Paishwa		38,176		
Guicowar State, for the maintenance of Mulhar Row, &c.		54,548		
Rajah of Collapore, received on account of		60,846		
Accountant General to the Recorder's Court		80,408		
Funds of Public Institutions		1,12,710		
Bombay Town Hall Lottery		44,057		
Deposits, &c.		39,955		
Bushire: recovered on account the Estate of Mahomed Nebee Khawn		68,261		
Prize Property captured in Oakamundel and Kattywar		11,590		
		7,28,191		
Account Current, London:				
Bills on the Court	49,91,256			
Advances in England, recovered, &c.	1,44,564			
		51,35,820		
Carried forward		58,64,011	- - -	3,69,99,515

the BOMBAY Government, from 1st May 1821 to 30th April 1822 - - - - - Cr.

				Rupees
By ORDINARY DISBURSEMEMENTS:				
CIVIL DEPARTMENT.				
General:				
Salaries to the Governor and Council		2,62,000		
D° - Allowances, &c. at the Presidency		11,87,296		
D° - - D° - - - - Subordinates		8,85,446		
Post Office and Mint Charges		1,51,170		
Ecclesiastical Department		1,25,723		
Interest on Debt, &c.		1,64,757		
Pensions and Charitable Allowances		56,880		
			28,33,272	
Revenue:				
Charges Collection at the Presidency	55,137			
D° - - D° - - - Subordinates	2,07,488			
D° - - D° in Ceded and Conquered Countries	21,40,628			
Pensions and Charitable Allowances	9,22,565			
D° - to Bajee Row and Chimnajee Appa	11,00,000			
Stipends to the Nabob of Surat and his Officers	1,12,788			
		45,38,606		
Customs:				
Charges Collection at the Presidency	1,18,484			
D° - - D° - - - Subordinates, and in the Ceded and Conquered Countries	2,57,539	3,76,023		
Judicial:			49,14,629	
Recorder's Court and Establishments		1,71,765		
Country Courts		15,55,735		
			17,27,500	
Opium: Purchase of, including Establishment and Contingencies		- - -	41,99,741	
Marine:				
Office Establishment and Charges		1,02,872		
Bombay Cruizers and Vessels		2,83,300		
Marine Charges		1,35,029		
Pattamar, and other Boats		31,113		
Surat Cruizers and Charges		30,099		
Charges on account Dry Docks, Mooring Chains, &c.		62,873		
D° - on Marine Stores		22,045		
			6,67,331	
MILITARY DEPARTMENT.			1,43,42,473	
Pay and Allowances, including King's Troops		77,57,565		
Baroda Subsidiary Force		17,51,678		
Poonah Auxiliary - d°		12,11,293		
General Staff		4,92,918		
Contingencies		15,07,612		
Off-Reckonings		2,40,088		
Repairs		4,91,638		
			1,34,52,792	
EXTRAORDINARY DISBURSEMENTS:				2,77,95,265
CIVIL DEPARTMENT				
General:				
Bombay 6-per cent Promissory Notes of 1811/12 paid		25,45,200		
Bills payable		4,61,770		
D° Receivable outstanding		1,97,500		
Loss by Exchange		1,09,983		
Ewamdars		1,88,642		
Mission to Poonah		83,736		
Guicowar State, for maintenance of Mulha Row, &c.		26,494		
Constructing Churches at Surat and Kaira		27,875		
Repairs to Roads, Wheel Tax Charges, &c.	1,01,783			
Deduct Wheel Tax	8,802			
		92,981		
Dead Stock supplied		84,851		
Prize Property captured by the Bombay Troops		4,02,538		
Civil Fund		16,650		
Sundry Disbursements		74,878		
Carried forward - - - Rs		43,13,098	- - -	2,77,95,265

Dr - - - - - - No. 11.—Abstract STATEMENT of the Receipts and Disbursements of

		Brought forward - - -		Rupees. 3,69,99,515
EXTRAORDINARY RECEIPTS—*continued.*				
CIVIL DEPARTMENT—General: - *contd* - and brot forward - Rs		58,64,011		
SUPPLIES from other PRESIDENCIES:				
Bengal ·				
Loan of 1821/22 - - - - - - - - -	83,70,400			
Remittable Debt of 1822 - - - - - -	59,37,100			
Exchange - - - - - - - - - -	2,02,256			
Bills drawn - - - - - - - - - -	50,98,752			
Disbursements on account this Presidency - -	15,40,397			
Invoice of Sugar, Rice, Stores, &c. received - -	3,40,513	2,14,89,418		
Fort St. George.				
Specie and Bullion received - - - - - -	24,52,192			
Bills drawn - - - - - - - - - -	2,53,000			
Forests in Malabar and Canara - - - -	1,88,377			
Disbursements on account this Presidency, &c. -	71,248	29,64,817		
Fort Cornwallis:				
Disbursements on account this Presidency - - - - -		7,062	3,03,25,308	
Revenue:				
Sale of Salt, Grain, &c. - - - - - - - -		28,254		
Surplus Revenues - - - - - - - - - -		47,683		
Tuckavee Deposits, &c. - - - - - - - - -		83,550		
Sundry Receipts - - - - - - - - - -		25,089	1,84,576	
Commercial:				
Amount received from this Department - - - - - -		- - -	23,28,385	
Marine:				
Surplus Pilotage, &c. - - - - - - - - - -		27,756		
Sale of Stores - - - - - - - -	4,23,344			
Deduct Purchase - - - - - - -	2,46,326	1,77,018	2,04,774	
			3,30,43,043	
MILITARY DEPARTMENT:				
Bazar Collections - - - - - - - - - - -		73,039		
Sale of Stores - - - - - - - -	5,82,195			
Deduct Purchase - - - - - - -	3,44,914	2,37,281		
Miscellaneous - - - - - - - - - - - -		35,912		
Unliquidated Draft in favour of Military Paymaster at Surat -		49,500		
Amount received of Cutch Government - - - -		1,00,000	4,95,732	
				3,35,38,775
Carried forward - - - Rs		- - -	- - -	7,05,38,290

the BOMBAY Government, &c.—*continued.* - - - - - - - - - - - - - - Cr.

				Rupees
Brought forward - - -				2,77,95,265
EXTRAORDINARY DISBURSEMENTS—*continued.*				
CIVIL DEPARTMENT—General: - contd - and brot forward - Rs		43,13,098		
Account Current, London: Sundry Payments - - - -		55,535		
SUPPLIES to other PRESIDENCIES:				
Bengal ·				
Loan of 1811/12, transferred to new Loan of 1821/22,	1,19,59,801			
D° - - - paid by Bills on England - -	38,08,000			
Interest on Loans - - - - - - - -	10,76,466			
Disbursements, &c on account that Presidency -	1,58,167			
Specie consigned to the Court - - - -	30,34,660			
Advances and Supplies, &c. on account H. M. Government - - - - - - - -	4,84,706			
Invoices of Timber and Brass Ordnance, consigned thither - - - - - - - - -	53,312			
		2,05 75,112		
Fort St George				
Disbursements, Supplies, &c. on account that Presidency	2,66,676			
Advances to the Military Paymaster in the Carnatic -	10,10,000			
		12,76 676		
			2,62,20,421	
Revenue:				
Charges on account Surveys, Repairs to Roads, &c. - - -		52,293		
Dead Stock - - - - - - - - - - - -		1,22,594		
Tuckavee Deposits, &c. - - - - - - - - -		1,41,806		
Ahmedabad Grasias share of Revenues - - - - - -		41,612		
Military Troops employed - - - - - - -		23,692		
			3,81,997	
Judicial:				
Costs on Suits, &c. - - - - - - - - -		- - -	12,686	
Commercial:				
Advances for the purchase of Investments, &c. &c. - - -		- - -	14,77,317	
Marine:				
Charges of former Years - - - - - - - - -		1,73,534		
D° - of Vessels - d° - - - - - - - - -		1,40,143		
Building - D° - for the Bombay Marine - - - -		39,073		
Purchase of Timber, including Charges - - - - - -		1,75,655		
Buildings and Repairs - - - - - - - - - -		56,848		
Commission Fees, &c. - - - - - - - - - -		16,760		
			6,02,013	
			2,86,94,434	
MILITARY DEPARTMENT:				
Field Allowances to King's and Company's Troops - - -		12,74,926		
Baroda Subsidiary Force - - - - - - - -		2,43,784		
Stores - - - - - - - - - - - - -		22,106		
Contingencies - - - - - - - - - - -		18,90,211		
Exchange - - - - - - - - - - - -		2,42,580		
Payment to the Paymaster at Surat, as credited last year - -		52,000		
			37,25,607	
				3,24,20,041
Carried forward - - Rs		- - -	- - -	6,02,15,306

Dr - - - - - - - No. 11.—Abstract STATEMENT of the Receipts and Disbursements of

Brought forward - - - Rupees	7,05,38,290
Rupees	7,05,38,290

Dr - - - - - - - - Abstract STATEMENT of the Receipts and Disbursements

			Rupees.
To BALANCE:—Amount remaining in this Department, on 30th April 1821 - -			1,60,529
RECEIPTS:			
At the Presidency:			
Commercial Accountant. Received for short delivery - -	300		
Export Warehousekeeper: Sale of Export Goods, &c. - -	4,825	5,125	
Import Warehousekeeper:			
Received on account Monthly General Sales - - - - -	19,00,138		
Europe Imports supplied to the different Departments - -	1,73,237		
Sale of Sugar - - - - - - - - - - -	1,21,952		
D° - Madeira Wine, &c. - - - - - - - -	76,266	22,71,593	
Subordinates:			
Sundry Receipts - - - - - - - - - - -	- - -	1,765	22,78,483
Rupees			24,39,012

East India House,
13th May 1824.

(Errors excepted.)

the BOMBAY Government, &c.—*continued.* - - - - - - - - - - - - - - - - Cr.

				Rupees.
Brought forward - - -				6,02,15,306
EXTRAORDINARY DISBURSEMENTS—*continued.*				
BALANCE:—Amount remaining in the following Departments, on 30th April 1822:				
CIVIL DEPARTMENT:				
General - - - - - - - - - - - - -		9,96,371		
Revenue - - - - - - - - - -	72,22,468			
Customs - - - - - - - - - -	62,243			
		72,84,711		
Marine - - - - - - - - - - - - - -		80,600		
			83,61,682	
MILITARY DEPARTMENT - - - - - - - - - -		- - -	19,61,302	
				1,03,22,984
			Rupees	7,05,38,290

in the COMMERCIAL Department at BOMBAY, for 1821/22 - - - - - - - - - - Cr.

			Rupees.
By ORDINARY DISBURSEMENTS:			
COMMERCIAL CHARGES:			
At the Presidency:			
Export Department: Salary, Establishment, &c. - - - -	10,596		
Customs on Imports - - - - -	64,223		
		74,819	
Import Department: Salary, Establishment, &c. - - - -	26,562		
Customs on Imports - - - - -	16,713		
		43,275	
Subordinates:			
Salaries, Establishments, &c. - - - - - - - -	- - -	56,400	
			1,74,494
EXTRAORDINARIES:			
CHARGES on MERCHANDIZE:			
At the Presidency - - - - - - - - - - - -	21,291		
Surat - - - - - - - - - - - - - -	73,946		
Kattywar - - - - - - - - - - - - -	48,942		
Malabar - - - - - - - - - - - - -	1,777		
		1,45,956	
INVESTMENT:			
At the Presidency:			
Export Department: Charges on Cotton Investment, &c. - - -	3,53,839		
Import - Do - Copper Fine, Iron, &c. - - - -	91,872		
Surat: Cotton for Europe and China - - - - - - - - -	3,50,126		
Kattywar: - Do - - Do - - - - - - - - - -	2,34,920		
		10,30,757	
Account Current, London: Charter Party Payment - - - -	- - -	8,178	
Dead Stock - - - - - - - - - - - - - - -	- - -	2,577	
Absentee Fund - - - - - - - - - - - - - -	- - -	3,889	
Charges on account H. C. Ship Moira - - - - - - -	- - -	948	
Major T. A. Cowper, Civil Engineer - - - - - - - -	- - -	7,029	
Territorial Books:			
Payments made into the General Treasury - - - - -	23,59,111		
Deduct Amount received from the General and Subordinate Treasuries, for the purchase of Investment, &c. - - - - -	13,36,870		
		10,22,241	
			22,21,575
			23,96,069
BALANCE:—Amount remaining in this Department, on 30th April 1822 - - - -			42,943
		Rupees	24,39,012

JAMES C. MELVILL,
Asst Dy Aud. of India Accots.

D^{r} - No. 12.—Abstract STATEMENT of the Receipts and Disbursements of the Residency

			Rupees.
To BALANCE —Amount remaining in the Treasury &c on the 30th April 1821			3,30,100
RECEIPTS			
Residency:			
Opium and Spirit Farms, &c.	- - -	63,162	
Subordinates:			
Customs on Imports and Exports at Nattal	- - -	9,466	72,628
EXTRAORDINARY RECEIPTS:			
Residency:			
Treasury:			
Bills drawn on Bengal and the Court	12,33,359		
Received on account Debts and Advances	64,785		
Stores sold	3,15,747		
Deposits	49,664		
Miscellaneous	13,874	16,77,429	
Paymaster:			
Received on account Debts, Advances and Deposits	- - -	22,939	
Storekeeper:			
Stores sold	- - -	3,13,929	20,14,297
Subordinates:			
Singapore:			
Bills drawn on Bengal	1,20,832		
Received from the Storekeeper and Stores sold	1,04,513	2,25,345	
Nattal:			
Stores sold, &c.	- - -	2,955	2,28,300
Rupees			26,45,325

East India House,
13th May 1824.

(Errors excepted)

of BENCOOLEN and its Dependencies, from 1st May 1821 to 30th April 1822 - - Cr.

			Rupees
DISBURSEMENTS			
Residency:			
Per Paymaster's Accounts.			
Civil Establishment	2,98,688		
Allowances and Pensions	29,786		
Charges General and Extraordinary	1,38,492		
Do Merchandize	8,376		
Military Charges	37,567		
Purchase of Materials, Boats, &c.	12,358		
Advance on account Estates, Permattang, Ballam, &c. and sundry Disbursements	42,108		
Expenses of the Bengal Convicts	45,073		
Advances to Individuals, Opium Farmers, &c.	39,800		
Repairs to Rat Island, Buildings, Salt Pans, &c	20,646		
Purchase of Stores, Spices, Gunnies, &c	1,95,481		
Advanced the Storekeeper	1,92,726		
Miscellaneous	29,924		
		10,81,025	
Per Treasury Accounts:			
Advanced the Storekeeper	13,125		
Bills cancelled	21,875		
Advanced the Military Paymaster	1,47,008		
Miscellaneous	24,814		
		2,06,822	
Storekeeper:			
Paid into the Treasury for Stores sold &c	- - -	3,26,715	
			16,14,562
Subordinates:			
Singapore			
Amount Charges paid at Singapore, &c.	57,062		
Advanced the Military Paymaster	62,737		
Sale and Purchase of Stores, &c.	87,540		
		2,07,339	
Nattal,			
Amount Charges paid at Nattal, &c.	33,075		
Advanced the Military Paymaster	28,627		
Purchase of Pepper, &c. &c.	5,20,052		
		5,81,754	
Out Stations.			
Allowances in full of all Charges	- - -	28,900	
			8,17,993
			24,32,555
BALANCE:—Amount remaining in the Treasury, &c. on the 30th April 1822			2,12,770
Rupees			26,45,325

JAMES C. MELVILL,
Assᵗ Dʸ Aud. of India Accoᵗˢ.

Dr - - - - No. 13.—Abstract STATEMENT of the Receipts and Disbursements of

				Dollars.
BALANCE:—Amount remaining in the Treasury, &c. on the 30th April 1821 - - - -				97,636
ORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Post Office Collections - - - - - - - - - -		369		
Judicial:				
Fees and Fines in the Courts of Judicature and Requests, &c. -		7,529		
Revenue:				
Arrears of former Years - - - - - - -	14,520			
Collections on account the current year - - - -	148,181			
		162,701		
Marine:				
Duty on Prow and Anchorage Fees, &c. - - - - - -		5,814		
			176,413	
EXTRAORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Bills drawn on Bengal - - - - - - - -	137,395			
Debts outstanding - - - - - - - -	2,991			
Stores sold and issued - - - - - - - -	20,905			
Loans to Opium Farmers, and Sufferers by Fire -	129,781			
School Fund - - - - - - - - - -	1,588			
Miscellaneous. - - - - - - - - - -	16,610			
		309,270		
Judicial:				
Deposits claimable - - - - - - - - -		36,372		
Commercial:				
Stores sold and issued - - - - - - - - - -		8,447		
MILITARY DEPARTMENT:				
Stores sold and issued, &c. - - - - - - - -		21,025		
			375,114	
				551,527
				649,163
RECEIPTS on account other PRESIDENCIES.				
Bengal:				
Received for the Hire of Convicts - - - - - - - - -			4,018	
Stores, Provisions, and Clothing to do - - - - - - - - - -			11,336	
				15,354
			Dollars - -	664,517

East India House,
13th May 1824.

(Errors excepted.)

PRINCE of WALES ISLAND, from 1st May 1821 to 30th April 1822 - - Cr.

				Dollars
ORDINARY DISBURSEMENTS				
CIVIL DEPARTMENT:				
General:				
Durbar Charges	10,252			
Salaries of the Governor and Council	43,889			
Public Offices	51,978			
D° Establishments	25,952			
Petty - d° - and Contingencies	17,352			
House Rent and Repairs	6,352	155,775		
Judicial.				
Salaries of the Recorder and Officers of Court	17,237			
Establishments of the High Sheriff, Police, and Court of Requests, &c.	26,235			
Diet and Clothing of Prisoners and Contingencies	4,291	47,853		
Revenue:				
Establishment of the Collector and Contingencies		11,896		
Commercial:				
Establishment of the Warehousekeeper, &c.		5,446		
Marine:				
Salary and Establishment of the Master Attendant and Boat Master	10,817			
Supplies and Stores to the Schooner, and Wages of the Crew	4,749			
Miscellaneous	5,735	21,301	242,271	
MILITARY DEPARTMENT:				
Pay and Allowances of the Staff and Troops		136,578		
Supplies, Stores, and Contingencies		13,299	149,877	392,148
EXTRAORDINARY DISBURSEMENTS:				
CIVIL DEPARTMENT:				
General:				
Loan to Opium Farmers		20,000		
Purchase of Stores, &c.		29,378		
Miscellaneous		16,996	66,374	
Judicial:—Deposits claimable, &c.		- - -	17,178	
Revenue:—Purchase of a Boat, and building Outhouses		- - -	167	
Commercial:—Purchase of Civil and Marine Stores, and Repairs		- - -	7,654	
Marine				
Establishments of the armed Peons, Stores, and Supplies		4,976		
Disbursements, under head of "H.M.'s Squadron"		6,519	11,495	
MILITARY DEPARTMENT:				
Purchase of Stores, Repairs to Buildings, &c.		- - -	6,348	109,217
				501,365
DISBURSEMENTS on account other PRESIDENCIES.				
Bengal:				
Expense of Convicts, Dutch Prisoners, Troops, &c.			91,411	
Bombay				
Supplies and Stores to the Nautilus, Wages, &c.			21,400	
Madras and Fort Marlbro'				
Allowance to Invalids, &c.			1,348	
Account Current, London:				
Charter Party Allowance to European Ships			4,200	118,359
				619,724
BALANCE:—Amount remaining in the Treasury, &c. on the 30th April 1822				44,793
			Dollars	664,517

JAMES C. MELVILL,
Asst Dy Aud. of India Accts.

No. 14.—An ACCOUNT of the Balance of QUICK STOCK, exhibiting a State of Presidencies of Fort William, Fort St. George, Bombay, and Prince of Wales

	FORT WILLIAM.		FORT ST. GEORGE.	
	Cᵗ Rupees.	£.	Pagodas.	£.
TERRITORIAL:				
CASH - - - - - - - - - - -	6,56,74,138	6,567,414	75,38,170	3,015,268
BILLS Receivable - - - - - - - -	44,94,746	449,475	- - -	- - -
STORES - - - - - - - - - -	56,82,652	568,265	36,02,036	1,440,814
DEBTS - - - - - - - - - - - -	3,29,97,479	3,299,748	51,58,022	2,063,209
SALT, OPIUM, RUM, GRAIN, and CATTLE -	1,29,64,735	1,296,473	9,59,715	383,886
TOTAL ASSETS - -	12,18,13,750	12,181,375	1,72,57,943	6,903,177
BOND, Register, and other DEBTS bearing Interest -	28,90,50,187	28,905,019	61,35,644	2,454,258
ARREARS and DEBTS not bearing Interest - -	5,79,38,752	5,793,875	14,98,202	599,280
TOTAL DEBTS - -	34,69,88,939	34,698,894	76,33,846	3,053,538
COMMERCIAL:				
CASH - - - - - - - - - -	17,16,870	171,687	1,35,436	54,174
DEBTS - - - - - - - - - - - -	66,82,169	668,217	2,39,097	95,639
EXPORT GOODS - - - - - - - -	1,05,71,270	1,057,127	3,51,997	140,799
IMPORT GOODS - - - - - - - -	26,89,069	268,907	2,55,749	102,300
TOTAL ASSETS - -	2,16,59,378	2,165,938	9,82,279	392,912
ARREARS and DEBTS not bearing Interest - -	10,00,841	100,084	- - -	- - -
GRAND TOTAL of ASSETS - -	14,34,73,128	14,347,313	1,82,40,222	7,296,089
GRAND TOTAL of DEBTS - -	34,79,89,780	34,798,978	76,33,846	3,053,538
EXCESS of DEBTS Territorial - -	22,51,75,189	22,517,519	- - -	- - -
EXCESS of ASSETS Territorial -	- - -	- - -	96,24,097	3,849,639
EXCESS of ASSETS Commercial -	2,06,58,537	2,065,854	9,82,279	392,912

N. B.—Current Rupees converted into £. Stᵍ at 2 s. the Current Rupee.
Pagodas - - - - dᵒ - - - dᵒ - - - - - 8 s. the Pagoda.
Bombay Rupees, dᵒ - - - dᵒ - - - - - 2 s. 3 d. the Rupee.
Dollars - - - - dᵒ - - - dᵒ - - - - - 5 s. the Dollar.

East India House,
13th May 1824.

(Errors excepted)

the Company's Affairs in respect to their ASSETS and DEBTS, as they stood at the several ISLAND, and at the Residency of FORT MARLBRO', at the conclusion of the Year 1821/22.

BOMBAY		PRINCE OF WALES ISLAND.		FORT MARLBRO'		TOTAL.
Rupees.	£.	Dollars	£.	Cᵗ Rupees.	£	£.
89,92,582	1,011,665	44,793	11,198	2,89,140	28,914	10,634,459
- - -	- - -	- - -	- - -	- - -	- - -	449,475
84,06,082	945,684	292,221	73,055	- - -	- - -	3,027,818
84,51,172	950,757	83,725	20,931	7,73,776	77,378	6,412,023
5,067	570	- - -	- - -	- - -	- - -	1,680,929
2,58,54,903	2,908,676	420,739	105,184	10,62,916	106,292	22,204,704
21,13,671	237,788	94,916	23,729	29,859	2,986	31,623,780
48,76,322	548,586	61,887	15,472	96,645	9,664	6,966,877
69,89,993	786,374	156,803	39,201	1,26,504	12,650	38,590,657
42,942	4,831	- - -	- - -	10,373	1,037	231,729
12,65,755	142,397	- - -	- - -	97,702	9,770	916,023*
9,51,330	107,025	- - -	- - -	4,63,907	46,391	1,351,342
15,58,104	175,287	75,987	18,997	2,11,391	21,139	586,630
38,18,131	429,540	75,987	18,997	7,83,373	78,337	3,085,724
41,235	4,639	- - -	- - -	465	46	104,769
2,96,73,034	3,338,216	496,726	124,181	18,46,289	184,629	25,290,428
70,31,228	791,013	160,803	40,201	1,26,969	12,696	38,696,426
- - -	- - -	- - -	- - -	- - -	- - -	22,517,519
1,88,64,910	2,122,302	259,936	64,983	9,36,412	93,642	6,130,566
		NETT EXCESS of DEBTS Territorial - - - £.				16,386,953
37,76,896	424,901	75,987	18,997	7,82,907	78,291	2,980,955
		NET EXCESS of DEBTS in INDIA - - - - - £.				13,405,998

* The difference between this Amount and that specified in the Account presented last year, arises chiefly from an erroneous mode of statement hitherto adopted in respect of the Carnatic Deposit.

JAMES C. MELVILL,
Assᵗ Dʳ Aud. of India Accoᵗˢ.

No. 15.

AMOUNT of BOND and other DEBTS owing by the East India Company, at their several Presidencies in the *East Indies*, on the 30th April 1822; the Rates of Interest which such Debts respectively carry; and the Annual Amount of such Interest.

TERRITORIAL:					
BENGAL.					
DEBTS at INTEREST:					
Loans, &c. at 6 per cent - - - - - - S^a R^s			23,28,75,282		
D° - - from Vizier, at d° - - - - - - -			1,03,82,094		
Deposits, at 6 per cent - - - - - - - -			3,368		
Bow Begum's Stipend Fund, 6 per cent - - - -			55,98,436		
Promissory and Treasury Notes, at d° - - - -			3,22,016		
			24,91,81,196		
Batta, 16 per cent - - -			3,98,68,991	28,90,50,187	
Interest estimated on the above - - - - - - -			18,90,475		
Treasury Notes not bearing Interest - - - - - -			27,86,900		
Bills outstanding on account other Presidencies - - -			38,83,806		
Deposits - - - - - - - - - - -			1,35,12,956		
Bonds, &c. ordered for payment, but not demanded - -			5,17,207		
Rohilla Donation - - - - - - - - -			57,787		
ARREARS AND DEBTS:					
CIVIL DEPARTMENT:					
General - - - - -	36,18,328				
Judicial - - - - -	23,54,441				
Revenue - - - - -	83,41,499				
Marine - - - - -	3,49,810				
		1,46,64,078			
MILITARY DEPARTMENT - - - - -		1,26,33,991			
			2,72,98,069		
			4,99,47,200		
Batta, 16 per cent - - -			79,91,552	5,79,38,752	
Total Territorial Debts at Bengal - - C^t R^s				34,69,88,939	
At 2*s.* the Current Rupee - - £.					3,46,98,894
MADRAS:					
DEBTS at Interest:					
Loans, at 8 per cent - - - - - - Pagodas			44,000		
D° - - 6 per cent - - - - - - - -			3,25,205		
Deposits, at 6 per cent - - - - - - -			46,15,634		
Due the Government Bank - - - - - -			11,50,805		
Pagodas - - -			61,35,644		
At 8*s* the Pagoda			- - £.	2,454,258	
Interest estimated - - - - - - - - -			5,758		
Loans, &c. undischarged, on which Interest has ceased -			1,11,922		
Deposits - - - - - - - - - - -			7,44,846		
ARREARS AND DEBTS:					
CIVIL DEPARTMENT:					
General - - - - - -	26,294				
Revenue - - - - - -	25,995				
		52,289			
MILITARY DEPARTMENT - - - - -		5,83,387			
			6,35,676		
Pagodas - - -			14,98,202		
At 8*s.* the Pagoda			- - £.	599,280	
Total Territorial Debts at Madras - - - £.					* 3,053,538
Carried forward - - £.					37,752,432

* See Note at the end of the Account.

					£.
BOMBAY:			Brought forward - -		37,752,432
DEBTS AT INTEREST:					
Deposits, at 4 per cent - - - - - - - -			6,10,738		
Promissory Notes, at 6 per cent - - - - - - -			1,88,400		
Deposits, at 6 per cent - - - - - - - - -			13,14,533		
				21,13,671	
Loans, &c. advertised for payment, but not yet demanded -			1,23,149		
Deposits - - - - - - - - - - - - -			12,90,341		
Demands not bearing Interest - - - - - - -			47,177		
ARREARS and DEBTS:					
CIVIL DEPARTMENT					
General - - - - - - - -	2,32,253				
Revenue - - - - - - -	5,74,597				
Judicial - - - - - - - -	39,187				
Marine - - - - - - - -	6,13,124				
		14,59,161			
MILITARY DEPARTMENT - - - - -		19,56,494			
			34,15,655		
				48,76,322	
			Rupees	69,89,993	
TOTAL TERRITORIAL DEBTS at BOMBAY, at 2*s.* 3*d.* the Rupee - - £.					786,374
FORT MARLBRO':					
Promissory Notes - - - - - - - - - - - -			C^t R^s	29,859	
Deposits - - - - - - - - - - - - - - - -				96,644	
			C^t R^s	1,26,503	
TOTAL TERRITORIAL DEBTS at FORT MARLBRO', at 2*s.* the C^t Rupee - £.					12,650
PRINCE OF WALES ISLAND:					
Deposits, &c. bearing Interest - - - - - - D^{rs}			- - -	94,916	
Interest on the above - - - - - - - - - -			8,195		
Deposits not bearing Interest - - - - - - - -			15,104		
Arrears - - - - - - - - - - - - -			42,587		
				65,886	
			Dollars	160,802	
TOTAL TERRITORIAL DEBTS at PRINCE OF WALES ISLAND, at 5*s.* the Dollar - £.					40,201
TOTAL TERRITORIAL DEBTS in INDIA - - - £.					38,591,657
BENGAL: COMMERCIAL:					
Commission due the Agents - - S^a R^s		5,29,773			
Debts due on sundry Accounts - - -		1,80,168			
Arrears of Allowances, &c. - - - -		1,52,853			
			8,62,794		
Batta, 16 per cent - - -			1,38,047		
Current Rupees			10,00,841		
TOTAL COMMERCIAL DEBTS at BENGAL - - - £.				100,084	
MADRAS. - - - - - - - - None.					
BOMBAY:					
Arrears - - - - - - - - Rupees - - - -			41,235		
TOTAL COMMERCIAL DEBTS at BOMBAY, at 2*s* 3*d.* the Rupee - £				4,638	
FORT MARLBRO' - - - - - - C^t R^s - - - - -			465		
At 2*s.* the C^t Rupee - - £.				46	
TOTAL COMMERCIAL DEBTS in INDIA - - - £					104,768
TOTAL DEBTS in INDIA - - - - £.					38,696,425

No. 15—*continued.*

ANNUAL AMOUNT OF INTEREST ON DEBTS.

	Principal.	Rates of Interest.	Annual Interest.	£.
BENGAL:				
On Loans, &c. - - - - - S^{a} R^{s}	24,91,81,196	6 per Cent	1,49,50,871	
Batta, 16 per cent - - - - - -	3,98,68,991		23,92,139	
Current Rupees -	28,90,50,187	C^{t} R^{s}	1,73,43,010	£. 1,734,301
£.	28,905,018			
MADRAS:				
On Loans, &c. - - - - - Pagodas	44,000	8 per Cent	3,520	
Deposits, &c. - - - - - - -	* 60,91,644	6 - „ -	3,65,498	
Pagodas	61,35,644		3,69,018	
At 8*s.* the Pagoda - £.	2,454,258		At 8*s.* the Pagoda	£. 147,607
BOMBAY:				
On Deposits - - - - - - R^{s}	6,10,738	4 - „ -	24,429	
Promissory Notes, &c. - - - - - -	15,02,933	6 - „ -	90,175	
Rupees	21,13,671		1,14,604	
At 2*s.* 3*d.* the Rupee - £.	237,788		At 2*s.* 3*d.* the Rupee	£. 12,893
FORT MARLBRO':				
On Promissory Notes - - - - C^{t} R^{s}	29,859	10 - „ -	2,985	
At 2*s.* the Current Rupee - £.	2,986		At 2*s.* the C^{t} R^{s}	£. 299
PRINCE OF WALES ISLAND:				
Deposits - - - - - - Dollars	94,916	6 - „ -	5,694	
At 5*s.* the Dollar - £.	23,729		At 5*s.* the Dollar	£ 1,424
Amount bearing Interest - £.	31,623,779		Annual Interest thereon -	£. 1,896,524

* The difference between this Amount and that specified in the Accounts presented last year, arises chiefly from the correction of an erroneous mode of Statement hitherto adopted in respect of the Carnatic Deposit.

(Errors excepted.)

East India House,
13th May 1824.

JAMES C. MELVILL,
Ass^{t} D^{r} Aud. of India Acco^{ts}.

No. 16.—Probable Receipts and Disbursements - BENGAL Government - - - - - - pp. 52—55
No 17. - - - - D° - - - - - - MADRAS Government - - - - - pp. 56—59
No. 18. - - - - D° - - - - - - BOMBAY Government - - - - - pp. 60—65
No 19.—Receipts and Disbursements - - - BENCOOLEN and its Dependencies - pp. 66—67
No. 20. - - - - D° - - - - - - PRINCE OF WALES ISLAND - - pp. 68—69

No. 21.—Trade at Bengal, Madras, Bombay, Bencoolen, and Prince of Wales Island - - - p. 70
No. 22.—Amount received for SALES of Import Goods - - - - - - - - - - p. 71
No. 23.—Prime Cost of all CARGOES purchased in India - - - - - - - - - - p. 72

D° - - - No. 16.—Abstract ESTIMATE of the Probable Receipts and Disbursements

				Sicca Rupees.
To BALANCE:—Amount remaining in the following Departments, on 30th April 1822:				
CIVIL DEPARTMENT:				
General		2,39,65,312		
Judicial		4,15,532		
Revenue		3,44,14,506		
Salt and Opium		6,62,374		
Marine		3,688		
			5,94,61,412	
MILITARY DEPARTMENT		- - -	10,29,170	
				6,04,90,582
ORDINARY RECEIPTS.				
CIVIL DEPARTMENT:				
General:				
Sale of Presents		1,00,000		
Duty on Coinage, &c.		3,80,000		
Post Office Collections		4,50,000		
Stamp Duties		18,60,000		
			27,90,000	
Judicial:				
Duty on Licences for the Sale of Liquors, Fees and Fines, &c.		2,80,000		
Fees and Fines in Provincial Courts, &c.		1,96,000		
D° - D° in the Western Provinces		54,000		
			5,30,000	
Revenue:				
Land Revenue: Current Year	2,75,50,000			
Balances of former years	17,70,000			
Abkaree and Syer	21,60,000			
		3,14,80,000		
Western Provinces:				
Land Revenue Current Year	3,60,50,000			
Balances of former years	10.50,000			
Abkaree and Syer	20,20,000			
		3,91,20,000		
Ceded Territory: Estimated Revenue and Tributes		53,50,000		
		7,59,50,000		
Customs and Town Duties	40,00,000			
D° - - D° - in Western Provinces	34,00,000			
		74,00,000		
Salt: Receipts from the Sale of		1,90,00,000		
Opium: D° - D° - - including last year's Balances		1,20,50,000		
			11,44,00,000	
Marine: Pilotage, &		- - -	3,00,000	
				11,80,20,000
EXTRAORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Loan at Six per cent 31st March 1822		34,00,000		
Bengal Remittable Loan, 30th June 1822		2,80,00,000		
Treasury Notes not bearing Interest		13,00,000		
Bills expected to be outstanding on 30th April 1823		90,00,000		
Interest on Bank Shares		94,000		
			4,17,94,000	
Carried forward			4,17,94,000	17,85,10,582

of the BENGAL Government, from 1st May 1822 to 30th April 1823 - - - - Cr.

				Sicca Rupees.
By ORDINARY DISBURSEMENTS:				
CIVIL DEPARTMENT:				
General.				
Durbar Charges, and Embassies to Native Courts		18,40,000		
Temporary Embassies		9,20,000		
Payments to Native Chiefs, as per Treaty		10,25,000		
Salaries of the Governor General and Members of Council		5,37,000		
Public Offices, and Establishments at the Presidency		23,46,000		
Mint and Assay Offices		4,00,000		
General Post Office and Subordinates		3,50,000		
Stamp Office		5,00,000		
Nizamut Stipends including arrear of Money Begum		24,50,000		
Pensions and Charitable Allowances		90,000		
Stationery		35,000		
		1,04,93,000		
Provincial Battalions:				
Lower Provinces	4,82,000			
Western d°	5,20,000			
Calcutta Native Militia	1,55,000			
		11,57,000		
			1,16,50,000	
Judicial:				
Supreme Court of Judicature, and Law Charges		4,40,000		
Justices of the Peace, Coroner, &c.		2,69,000		
Sudder Dewanny and Nizamut Adawluts		4,12,000		
Provincial Courts of Appeal		7,70,000		
City and Zillah Adawluts		20,88,000		
Diet of Prisoners		3,14,000		
Provincial Police		7,65,000		
Pensions of Hill Chiefs		27,000		
		50,85,000		
Western Provinces, including Benares:				
Special Commission	93,000			
Provincial Court of Appeal, and City Adawlut at Benares	4,81,000			
Zillah Adawluts	12,50,000			
Diet of Prisoners	3,20,000			
Provincial Police, Establishment, and Stationery	9,71,000			
		31,15,000		
			82,00,000	
Revenue:				
Board of Revenue and Establishment	3,15,000			
Charges collecting the Land Revenue and Syer	16,77,000			
Poolbundy	2,40,000			
Pensions, Stationery, &c.	6,39,000			
		28,71,000		
Western Provinces, including Benares:				
Board of Commissioners and Establishments	2,65,000			
Charges collecting the Land Revenue and Syer	25,70,000			
Stipends and Allowances, including Pensions	48,24,000			
		76,59,000		
Ceded Territory:—Charges collecting the Revenues		9,50,000		
Customs:—Lower Provinces	5,50,000			
Western D°	4,20,000			
		9,70,000		
Salt:—Advances and Charges		53,00,000		
Opium - D° - - D°		9,30,000		
			1,86,80,000	
Marine:—Pilot Schooners, including Establishments, &c.			10,00,000	
MILITARY DEPARTMENT:			3,95,30,000	
Established Allowances and Charges			3,47,17,000	
				7,42,47,000
			Carried forward	7,42,47,000

Dr - - - - - - - - - - No. 16.—Abstract ESTIMATE of the Probable Receipts and

			Sicca Rupees.
Brought forward - - -			17,85,10,582
EXTRAORDINARY RECEIPTS—*continued.*			
CIVIL DEPARTMENT: General—*continued*—and Brought forward	- - -	4,17,94,000	
Account Current London.			
Bills drawn for Principal of Remittable Loan in Bengal -	1,41,00,000		
D° - - - D° - - - D° - in Madras - -	85,00,000		
D° - on account Interest on the Debt - - - -	38,00,000		
		2,64,00,000	
SUPPLIES from the COMMERCIAL BRANCH:			
Payments into the Treasury, on account Sale of Imports -	- - -	30,00,000	
SUPPLIES from other PRESIDENCIES:			
Fort St. George:			
Supplies to Bengal - - - - - - - - - - -	- - -	1,27,80,000	
Bombay:			
Supplies to Bengal - - - - - - - - - - -	- - -	13,13,200	
Prince of Wales Island:			
Advances to Bengal Troops, &c. - - - - - - - -	- - -	1,70,000	
Fort Marlbro'			
Advances to Military Department - - - - - - - -	- - -	2,00,000	
		8,56,57,200	
Revenue			
Lower Provinces:—Sale of Lands, &c. - - - - - -	3,00,000		
Western D° - Tuckavee Advances, &c. - - - - -	4,00,000		
		7,00,000	
MILITARY DEPARTMENT.			
Off Reckoning Stoppages - - - - - - - - -	8,00,000		
Miscellaneous - - - - - - - - - - - -	3,00,000		
		11,00,000	
			8,74,57,200
Sicca Rupees - - -			26,59,67,782

(Errors excepted.)

East India House,
13th May 1824.

Disbursements of the BENGAL Government—*continued*. - - - - - - - - - - - - Cr.

					Sicca Rupees.
ORDINARY DISBURSEMENTS—*continued*—and Brought forward - - -					7,42,47,000
EXTRAORDINARY DISBURSEMENTS.					
CIVIL DEPARTMENT:					
General:					
Interest on the General Register Debt - - - - -			1,50,00,000		
Remittable Loans from June 1813 to 1820 - - - - -			5,06,00,000		
Unremittable Loans of 30th June 1811 - - - - -			31,63,400		
Remaining ⅕th Principal of Septennial Loans - - - -			1,05,000		
Treasury Notes not bearing Interest - - - - -			40,00,000		
Bills payable - - - - - - - - - -			1,00,00,000		
			8,28,68,400		
College at Fort William - - - - - - - -			1,40,000		
Buildings and purchase of Dead Stock - - - - -			7,00,000		
			8,37,08,400		
His Majesty's Government:					
Mauritius - - - - - - - - -		8,00,000			
Payments to be made at Madras - - - -		1,75,000			
D° - - D° - at Bombay - - - -		4,00,000			
			13,75,000		
SUPPLIES to other PRESIDENCIES:					
Fort St. George					
Supplies required from Bengal - - - - - -			1,30,90,750		
Bombay					
Supplies required from Bengal - - - - - -			74,85,300		
Fort Marlbro'					
Bills to be drawn and other Supplies - - - - -			14,00,000		
Prince of Wales Island					
Bills to be drawn, and other Supplies - - - - - -			5,00,000		
St. Helena.					
Supplies - - - - - - - - - - -			50,000		
SUPPLIES to the COMMERCIAL BRANCH:					
Advances on account Investment, &c - -		1,13,00,000			
Supplies to China:—Cotton - -	5,00,000				
D° - Bills to be drawn - -	80,00,000				
		85,00,000			
			1,98,00,000		
Revenue:				12,74,09,450	
Western Provinces:—Tuckavee Advances, &c. - - -			4,00,000		
Miscellaneous - - - - -			4,00,000		
				8,00,000	
Marine.					
Advances for building Pilot Schooners, &c. - - - - - -				2,00,000	
MILITARY DEPARTMENT:				12,84,09,450	
Off Reckonings, including Advances to the Agent for Clothing - - -				4,00,000	
					12,88,09,450
					20,30,56,450
BALANCE:—Amount expected to remain in the different Treasuries, on 3toh April 1823 - -					6,29,11,332
Sicca Rupees - -					26,59,67,782

JAMES C. MELVILL,
Ass^t D^y Aud. of India Acco^ts.

D^r - - No. 17.—Abstract ESTIMATE of the Probable Receipts and Disbursements

To BALANCE:—Amount remaining in the following Departments, on 30th April 1822:				Rupees.
GENERAL DEPARTMENT		1,22,78,569		
Revenue		1,35,85,163		
Marine		380		
			2,58,64,112	
MILITARY DEPARTMENT		- - -	17,84,884	
				2,76,48,996
ORDINARY RECEIPTS:				
GENERAL DEPARTMENT:				
Post Office Collections		2,10,000		
Peiscush and Subsidies from Mysore, Travancore, and Cochin		34,33,110		
Mint Duties		1,20,000		
Durbar Presents, &c.		12,000		
			37,75,110	
Revenue				
Presidency and Subordinates:				
Land Revenues—Current Year	74,16,747			
- - D^o - - Balances	8,65,463			
Customs	19,02,753			
		1,01,84,963		
Ceded and Conquered Countries:				
Land Revenues—Current Year	2,65,19,485			
- - D^o - - Balances	12,91,580			
Customs	33,36,955			
		3,11,48,020		
Salt—Receipts from the Sale of		31,50,000		
Stamp Duties		5,03,707		
Extra Revenues		2,00,000		
			4,51,86,690	
Judicial:				
Receipts in the Provincial and Zillah Courts, &c.		- - -	1,55,000	
Marine:				
Expected Receipts		- - -	64,000	
Military:				
Expected Receipts		- - -	6,87,000	
				4,98,67,800
EXTRAORDINARY RECEIPTS:				
Deposits		40,00,000		
Funds of Public Institutions		10,00,000		
Carnatic Deposit		20,37,000		
Recoveries from Nabob account Advances, &c.		7,200		
Miscellaneous		2,70,000		
Account Current, London:				
Bills to be drawn	95,00,000			
Supplies from Ceylon, &c.	60,000			
Miscellaneous	5,00,000			
		1,00,60,000		
Carried forward		- - -	1,73,74,200	7,75,16,796

of the MADRAS Government, from 1st May 1822 to 30th April 1823 - - - - - - Cr.

				Rupees.
By ORDINARY DISBURSEMENTS:				
GENERAL DEPARTMENT:				
Salaries of the Governor and Council - - - - - - -		2,62,920		
Durbar Charges, and the Governor's Office and Establishments -		3,03,690		
Allowance to Officers of His Majesty's squadron - - - - -		58,800		
Salaries and Establishments at the Presidency and Subordinates -		14,51,890		
Interest Account—Payments on Loans, Deposits, &c - - -		15,59,700		
STIPENDS and ALLOWANCES.				
To the Nabob of the Carnatic - - - - - -	11,65,800			
To the Families and Officers of the late Nabobs - -	5,90,040			
To the Rajah of Tanjore - - - - - - -	9,21,910			
To the Nabob of Masulipatam - - - - - -	48,600			
To Families of the late Tippoo and Hyder Ally - -	2,19,670			
Expense of the Mysore Princes in Bengal - - -	3,30,750			
Pensions at the Presidency and Subordinates - -	1,04,000			
Contributions to Public and Charitable Institutions -	91,220			
		34,71,990		
Hospital and Vaccine Establishments - - - - - - -		92,660		
			72,01,650	
Judicial:				
Supreme Court of Judicature, and Law Officers - - - -		2,08,000		
Justices of the Peace, Law Charges, &c. - - - - - -		1,16,330		
Police Charges at the Presidency - - - - - - -		52,700		
Sudder Dewanney Fouzdarry and Zillah Adawluts - - -		26,45,092		
			30,22,122	
Revenue:				
Board of Revenue and Offices at the Presidency - -	2,12,647			
Charges Collection at the Presidency and Subordinates -	7,31,255			
		9,43,902		
- - Do - - in the Ceded and Conquered Countries - -		34,14,270		
Customs—Charges Collection - - - - - - - -		6,34,770		
Salt - - - - Do - - - - - - - - - - -		8,13,063		
Stamp Charges - - - - - - - - - - - -		74,321		
Pensions and Charitable Allowances - - - - - - -		10,01,814		
Peishcush for the Northern Circars - - - - - - -		6,30,630		
Rajah's Share of Revenue in Malabar - - - - - - -		2,58,186		
			77,70,956	
Marine:				
Salaries, Establishments, &c. - - - - - - - - - -		- - -	1,19,900	
Military:		- ,	1,81,14,628	
Pay and Allowances, including King's Troops - - - -		1,89,30,000	-	
General Staff and Military Officers - - - - - - -		14,70,000		
Ordnance, Medical and Camp Equipage Department - - -		22,00,000		
Commissariat - - - - - - - - - - - -		28,20,000		
			2,54,20,000	
				4,35,34,628
		Carried forward - - -		4,35,34,628

Dr - - - - - - - - - - No. 17.—Abstract ESTIMATE of the Probable Receipts and

Brought forward - - -		- - -	1,73,74,200	7,75,16,796
SUPPLIES from other PRESIDENCIES:				
Bengal				
Bills to be drawn - - - - - - - -	40,60,000			
Stipends of Mysore Princes - - - - -	3,30,750			
Miscellaneous - - - - - - - - -	2,00,000	45,90,750		
Bombay				
Advances to be made - - - - - - - - - -		13,60,000		
Revenue:				
Recoveries of Advances - - - - - - - - -		14,49,444		
Military:				
Expected Receipts - - - - - - - - -		1,50,000	75,50,194	2,49,24,394
TOTAL TERRITORIAL RECEIPTS - Rupees				10,24,41,190
COMMERCIAL:				
To BALANCE—Amount remaining on 30th April 1822 - -		- - -	5,05,034	
Sale of Imports and Exports - - - - - - - -		4,00,000		
Issues for the Public Service, &c. - - - - - - -		2,00,000		
Miscellaneous - - - - - - - - - - -		1,50,000	7,50,000	
TOTAL COMMERCIAL - - -				12,55,034
TOTAL TERRITORIAL and COMMERCIAL - Rupees				10,36,96,224

East India House,
13th May 1824.

(Errors excepted.)

Disbursements of the MADRAS Government—*continued.* - - - - - - - - - - Cr.

Brought forward - - Rupees				4,35,34,628
EXTRAORDINARY DISBURSEMENTS.				
Outstanding Loan, Paper to be discharged - - - -		3,000		
Government Bank - - - - - - - - - - -		10,00,000		
Buildings and Repairs - - - - - - - - - -		1,50,000		
Charges on Treasure - - - - - - - - - -		28,400		
Carnatic Commissioners - - - - - - - - - -		34,300		
D° - Deposit of the Current Year - - - - - -		11,90,000		
Deposits repayable - - - - - - - -		41,00,000		
Funds of Public Institutions repayable - - - - - -		10,00,000		
Advances on account Mysore Government - - - -		72,920		
Miscellaneous - - - - - - - - - -		7,00,000		
		82,78,620		
Account Current, London:				
Advances on Account Ceylon, &c. - - - - -	90,000			
Miscellaneous - - - - - - - - -	45,000			
		1,35,000		
SUPPLIES to other PRESIDENCIES				
Bengal				
Securities of Supreme Government, to be paid off	- 85,00,000			
Interest on Securities, &c. - - - - -	- 33,00,000			
Residency at Hydrabad - - - - - -	- 2,10,000			
Remittance to Nagpore, &c - - - - - -	- 1,95,000			
Advances to Naval Commissioner - - - -	- 1,50,000			
Miscellaneous - - - - - - - -	- 4,25,000			
		1,27,80,000		
Bombay				
Supplies from Malabar Coast - - - - - -	- 37,00,000			
Miscellaneous - - - - - - - - -	50,000			
		37,50,000		
			2,49,43,620	
Revenue:				
Tuckavy, &c Advances - - - - - - - - - -		- - -	13,71,392	
MILITARY DEPARTMENT:				
Buildings and Repairs - - - - - - - - - -		5,00,000		
Arrears of former Years, &c. - - - - - - - - -		8,42,000		
Extraordinary and contingent Charges - - - - -		17,00,000		
Stores supplied from Commercial Department - - - -		80,000		
			31,22,000	
				2,94,37,012
				7,29,71,640
By BALANCE—Amount expected to remain in the different Departments on 30th April 1823 - -				2,83,93,834
TOTAL TERRITORIAL CHARGES - - -				10,13,65,474
COMMERCIAL:				
Establishments at the Presidency and Subordinates - - -		- - -	1,60,750	
Advances for Investment - - - - - - - - - -		- - -	21,70,000	
TOTAL COMMERCIAL - - -				23,30,750
TOTAL TERRITORIAL and COMMERCIAL - Rupees				10,36,96,224

JAMES C. MELVILL,
Ass^t D^y Aud. of India Acco^ts

Dr - - - No. 18.—Abstract ESTIMATE of the Probable Receipts and Disbursements

				Rupees.
To BALANCE:—Amount remaining in the following Departments, on 30th April 1822:				
CIVIL DEPARTMENT:				
General		9,51,991		
Revenue	72,66,835			
Customs	62,242			
		73,29,077		
Marine		80,600		
			83,61,668	
MILITARY DEPARTMENT:		- - -	19,61,302	
				1,03,22,970
ORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Post Office and Mints		1,28,700		
Stamp Duty		1,65,000		
			2,93,700	
Revenue:				
Land Revenues, and Syer at the Presidency	4,15,200			
D° - - D° - - - Subordinates	18,07,000			
D° - D° in Ceded and Conquered Countries	1,65,18,100			
		1,87,40,300		
Customs:				
Charges Collection at the Presidency	10,34,000			
D° - - - Subordinates, and in the Ceded and Conquered Countries	27,22,800			
		37,56,800		
			2,24,97,100	
Judicial:				
Bombay County Fund		78,000		
Fees and Fines in Country Courts		35,900		
			1,13,900	
Opium: Sale of		- - -	32,12,500	
Marine:				
Hire of Dry Docks, Mooring Chains, &c.		- - -	1,31,500	
				2,62,48,700
EXTRAORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Bills receivable		1,97,500		
D° Payable may be outstanding		45,000		
Accountant General to Recorder's Court		50,000		
Civil, Military, and other Funds		2,13,900		
Town Hall Lotteries		2,50,000		
Sundry Receipts		34,800		
Account Current, London:		7,91,200		
Bills on the Court	6,90,000			
Advances in England to be recovered	16,600			
		7,06,600		
Carried forward - - - Rs		14,97,800	- - -	3,65,71,670

of the BOMBAY Government, from 1st May 1822 to 30th April 1823 - - - - Cr.

				Rupees
By ORDINARY DISBURSEMENTS:				
CIVIL DEPARTMENT				
General.				
Salaries to the Governor and Council		2,62,000		
D° Allowances, &c. at the Presidency		11,31,600		
D° - - D° - - Subordinates		6,94,400		
Post Office and Mint Charges		1,62,500		
Interest on Debt, &c.		80,000		
Ecclesiastical Department		1,39,000		
Pensions and Charitable Allowances		50,500		
			25,20,000	
Revenue				
Charges Collection at Bombay	54,500			
D° - - D° - the Subordinates	2,41,300			
D° - - D° in Ceded and Conquered Countries	22,88,300			
Pensions and Charitable Allowances	11,59,800			
D° - to Bajee Row and Chimnajee Appaw	11,00,000			
Stipends to the Nawab of Surat and his Officers	1,12,700			
		49,56,600		
Customs:				
Charges Collection at the Presidency	1,14,300			
D° - - D° - - Subordinates, and in the Ceded and Conquered Countries	2,64,300			
		3,78,600		
			53,35,200	
Judicial:				
Recorder's Court, Police Establishment and Law Charges		1,80,400		
Bombay County Fund, Police, &c Establishments and Contingencies		76,200		
Country Courts		14,53,600		
			17,10,200	
Opium: Purchase of, including Establishments and Contingencies		- - -	65,60,600	
Marine:				
Office Establishment and Charges		1,03,400		
Bombay Cruizers and Vessels		2,74,800		
Marine Charges		1,34,000		
Pattamar and other Boats		34,300		
Surat Cruizers and Charges		30,000		
Charges on account Dry Docks, Mooring Chains, &c.		54,000		
D° - on Marine Stores		22,600		
Batta and House Rent to H. M. Navy		10,000		
			6,63,100	
			1,67,89,100	
MILITARY DEPARTMENT:				
Pay and Allowances including King's Troops		80,10,000		
Baroda Subsidiary Force		15,50,000		
General Staff		4,76,000		
Poona Auxiliary Force		7,24,000		
Contingencies		18,00,000		
Off-Reckonings		2,40,000		
Repairs		5,00,000		
			1,33,00,000	
Carried forward - - - R^s				3,00,89,100

D^r - - - - - - - - - No. 18.—Abstract Estimate of the Probable Receipts and

Brought forward - - - R^s				3,65,71,670
EXTRAORDINARY RECEIPTS—*continued.*				
CIVIL DEPARTMENT: General—*continued* and Brought forward		14,97,800		
SUPPLIES from other PRESIDENCIES:				
Bengal:				
Loan of 1821/22 - - - - - - - -	22,100			
Bengal Remittable Debt - - - - - - -	58,200			
Bills may be drawn - - - - - - - -	60,00,000			
Disbursements on account this Presidency - -	14,05,000	74,85,300		
Fort St. George.				
Specie and Bullion may be received - - -	24,50,000			
Bills may be drawn - - - - - - - -	50,000			
Forests in Malabar and Canara - - - - - -	1,80,000			
Disbursements on account this Presidency - - -	72,000			
Sundry Receipts - - - - - - - - -	11,500	27,63,500	1,17,46,600	
Revenue				
Sale of Salt - - - - - - - - - - - -		21,800		
Recovered from Purchasers of Grain - - - - - -		40,200		
Deposit Commission on Land Duty - - - - - - -		33,900		
Sundry Receipts - - - - - - - - - -		44,300	1,40,200	
Commercial.				
Amount expected to be received from the Import Warehouse-keeper - - - - - - - - - - -		- - -	19,58,000	
Marine:				
Surplus Pilotage, &c. - - - - - - - - - -		31,600		
Sale of Stores - - - - - - - -	3,27,000			
Deduct Purchase - - - - - -	2,85,000	42,000	73,600	
MILITARY DEPARTMENT.			1,39,18,400	
Sale of Stores - - - - - - - -	4,80,000			
Deduct Purchase - - - - - - -	3,30,000	1,50,000		
Bazar Collections - - - - - - - - - - -		70,000		
Miscellaneous - - - - - - - - - -		42,500	2,62,500	1,41,80,900
Rupees - -				5,07,52,570

Disbursements of the BOMBAY Government—*continued.* - - - - - - - - - - - Cr.

Brought forward - - - Rs				3,00,89,100
EXTRAORDINARY DISBURSEMENTS:				
CIVIL DEPARTMENT				
General:				
Promissory Notes advertised but not demanded - - -		1,96,000		
Bills payable - - - - - - - - - - -		51,640		
Enamdars - - - - - - - - - - - -		1,90,060		
Repairs to Roads, Wheel Tax, Charges, &c. - - - -		95,000		
Dead Stock may be supplied - - - - - - -		40,000		
Charges constructing Church at Kaira - - . - -		25,700		
Civil, Military, and other Funds - - - - - -		58,000		
Town Hall Committee - - - - - - - - - -		63,200		
Do - Lotteries - - - - - - - - - -		2,39,900		
Prize Property captured by the Bombay Troops and in the Deccan - - - - - - - - - - - -		6,10,000		
Sundry Disbursements - - - - - - - -		24,000		
		15,93,500		
Account Current London:				
Subscription to Civil and Military Funds, &c. - - - -		51,600		
SUPPLIES to other PRESIDENCIES:				
Bengal:				
Loans discharged by Transfers and Bills on England -	3,70,200			
Interest on 6 per cent Loans - - - - - -	3,90,000			
Bills on account that Presidency - - - - -	50,000			
Disbursements - do including Pensions, &c. - -	1,03,000			
Advances and Supplies on account H. M. Government	4,00,000			
		13,13,200		
Fort St. George:				
Advances to the Military Paymaster in the Carnatic -	8,00,000			
Disbursements, Supplies, &c. on account that Presidency - - - - - - - - -	1,47,000			
		9,47,000		
Canton.				
Amount may be supplied to the Canton Treasury - - -		8,00,000		
			47,05,300	
Revenue				
Charges on account Surveys - - - - - - - - -		70,600		
Deposits, Dead Stock, &c. - - - - - - - - -		60,200		
Tuckavee - - - - - - - - - - - - -		36,700		
			1,67,500	
Judicial:				
Costs on Suits - - - - - - - - - - - - -		- - -	6,500	
Commercial:				
Advances for the Purchase of Investments, &c. - - - - -		- - -	29,71,000	
Marine:				
Charges of former Years - - - - - - - - -		1,75,000		
Vessels - Do - Do - - - - - - - - - - -		2,30,000		
Building Vessels for the Bombay Marine - - - - -		20,500		
Purchase of Timber including Charges - - - - -		1,80,000		
Buildings and Repairs, &c. - - - - - - - - -		22,000		
			6,27,500	
			84,77,800	
MILITARY DEPARTMENT				
Field Allowances to King's and Company's Troops - - -		7,75,000		
Baroda Subsidiary Force - - - - - - - -		2,50,000		
Stores - - - - - - - - - - - - - -		25,000		
Contingencies - - - - - - - - - - - -		12,00,000		
Exchange - - - - - - - - - - - - - -		2,50,000		
Amount to be paid to the Paymaster at Surat as credited last year		49,500		
			25,49,500	
				1,10,27,300
				4,11,16,400
BALANCE:—Amount expected to remain in the several Departments on the 30th April 1823				96,36,170
Rupees - -				5,07,52,570

Dr - - - No. 18.—Abstract ESTIMATE of the Probable Receipts and Disbursements

			Rupees.
TO BALANCE.—Amount remaining in this Department on 30th April 1822 - - - -			42,943
RECEIPTS:			
At the Presidency			
Expected Amount for Sale of Export Goods - - - -	5,000		
D° - - - - on account Screws - - - - - -	5,000	10,000	
Sale of Imports:			
Probable Amount required by the Import Warehouse-keeper on account monthly General Sales - - - - - -	18,00,000		
Europe Imports supplied to the different Departments - -	1,00,000		
Sale of Sugar - - - - - - - - - -	1,00,000		
D° Madeira Wine - - - - - - - -	40,000	20,40,000	
Surat: Commercial Resident:			
Probable Gain on Supplies of Piece Goods, &c. - - - - - - -		3,600	20,53,600
TERRITORIAL BOOKS:			
Probable Advances required for the Purchase of Investments - - - -		29,71,751	
Deduct,			
Estimated Payments on account Sale of Imports - - - - - - -		19,58,181	10,13,570
		Rupees - -	31,10,113

East India House,
13th May 1824.

(Errors excepted.)

in the Commercial Department at BOMBAY, for 1822/23 - - - - - - - - - - - C^{r}.

			Rupees.
BY ORDINARY DISBURSEMENTS:			
Commercial Charges.			
At the Presidency.			
Export Department, Salary, Establishment, &c.	1,00,622		
Import Department - D° - - D°	82,394	1,83,016	
Subordinates, Salaries, Establishments, &c.	- - -	24,871	2,07,887
EXTRAORDINARIES:			
Charges on Merchandize:			
Import Department:			
Dead Stock	- - -	600	
Surat:			
Charges on Cotton Investment, &c.	1,30,475		
Kattywar:			
Charges on Cotton Investment including Commission	1,56,193		
Malabar			
Charges, &c. on Pepper	1,500	2,88,168	2,88,768
Investments:			
At the Presidency			
Cotton Investment		16,500	
Surat:			
Cotton for Europe and China		13,76,958	
Kattywar			
Cotton for Europe and China		12,00,000	25,93,458
MAJOR COWPER Civil Engineeer.			
Payments by the Export Warehouse Keeper			20,000
		Rupees - -	31,10,113

JAMES C. MELVILL,
Assis^{t} D^{y} Aud. of India Acco^{ts}.

Dr - No. 19.—Abstract ESTIMATE of the Receipts and Disbursements of the Residency

		Rupees.
TO BALANCE:—Amount remaining in the Treasury, &c. on the 1st May 1822 - - -		2,12,768
RECEIPTS:		
Residency:		
Opium and Spirit Farms - - - - - - - - - - - - -	50,400	
Subordinates:		
Customs expected at Nattal - - - - - - - - - - - - -	9,500	
Storekeeper:		
Sale of Grain and Stores - - - - - - - - - - - - -	2,50,000	
General Books:		
Balances due from Individuals expected to be collected - - - - -	20,000	
		3,29,900
Fort William Presidency:		
Bills to be drawn - - - - - - - - - - - - - -	- - -	10,73,992
	Rupees	16,16,660

East India House,
13th May 1824.

(Errors excepted.)

of BENCOOLEN and its Dependencies, from 1st May 1822 to 30th April 1823 - - C^r.

DISBURSEMENTS:			Rupees.
Residency:			
Salary of the Lieutenant Governor - - - - - - -	32,820		
Head and Second Assistants, including Office Rent - - -	38,328		
Public Offices - - - - - - - - - - - -	96,397		
D^o Establishments - - - - - - - - - -	1,19,264		
Allowance to Native Chiefs, including Pensions - - - -	22,115		
Civil Servants, out of employ - - - - - - - -	16,404	3,25,328	
Charges, Merchandize:			
Landing Stores and Shipping, the Investment, &c. - - -	8,400		
Purchase of Stores - - - - - - - - - - -	1,00,000	1,08,400	
Charges Extraordinary:			
Personal Expenses of the Lieutenant Governor - - -	46,092		
Repairs to Buildings, and Expenses of Convicts - - -	75,000		
Freight of Vessels, and various Contingencies - - - -	1,22,000	2,43,092	
Military Establishment:			
Advances to the Military Paymaster - - - - - -	- - -	1,46,600	
Account Deposits:			
Amount deposited in the Treasury for Bills on Bengal - -	- - -	40,564	8,63,984
Nattal			
Salaries of the Resident and Assistant - - - - - -	18,384		
Allowance to Native Chiefs, and Contingencies - - - -	8,080	26,464	
Outstations:			
Allowances in full of all Charges - - - - - - -	- - -	31,200	
Investment:			
2,000 Tons of Pepper, and 8 Chests of Camphor - - -	- - -	5,55,450	
Singapore			
Civil Establishment - - - - - - - - - - -	39,375		
Military - d^o - - - - - - - - - - -	76,562		
Charges General and Extraordinary - - - - - - -	17,500		
Military and other Contingencies - - - - - -	6,125	1,39,562	7,52,676
		Rupees	16,16,660

JAMES C. MELVILL,

Ass^t D^y Aud. of India Acco^{ts}.

Dr - - - - No. 20.—Abstract ESTIMATE of the Receipts and Disbursements of

				Dollars.
To BALANCE:—Amount remaining in the Treasury, &c. on the 1st May 1822				44,693
ORDINARY RECEIPTS:				
CIVIL DEPARTMENT:				
General:				
Post Office Collections		250		
Judicial:				
Fees and Fines in the Courts of Judicature and Requests, &c.		11,000		
Revenue:				
Arrears of last year	8,450			
Collections on account the current year	166,440	174,890		
Marine:				
Anchorage and Prow Fees, &c.		6,800	192,940	
EXTRAORDINARY RECEIPTS.				
CIVIL DEPARTMENT:				
General:				
Debts Outstanding	2,000			
Sale and Issue of Stores	7,540			
Rent of the Surgeon's House and Bungalows	780	10,320		
Commercial:				
Sale and Issue of Stores		17,000		
MILITARY DEPARTMENT:				
Sale and Issue of Stores	4,200			
Do - of Provisions to the Troops	10,000	14,200		
Bills: Amount expected to be drawn on Bengal		222,500	264,020	456,960
Dollars				501,653

East India House,
13th May 1824.

(Errors excepted.)

PRINCE OF WALES ISLAND, from 1st May 1822 to 30th April 1823 - - - Cr.

				Dollars
ORDINARY DISBURSEMENTS				
CIVIL DEPARTMENT:				
General				
Durbar Charges - - - - - - - - -	10,000			
Salaries of the Governor and Council - - - -	54,000			
Public Offices - - - - - - - - -	54,938			
Do - Establishments - - - - - - - -	26,174			
Petty Do - and Contingencies - - - - -	9,668			
House Rent and Repairs - - - - - -	2,750	157,530		
Judicial:				
Salaries of the Recorder and Officers of Court - -	23,400			
Sheriffs and Police Establishments, &c. - - - -	25,668			
Diet, &c. of Prisoners and Contingencies - -	4,000	53,068		
Revenue:				
Establishment and Contingencies - - - - - - -		13,114		
Commercial:				
Establishment and Contingencies - - - - - - -		5,576		
Marine:				
Salary and Establishment of the Master Attendant -	7,416			
Seamen's Wages, Supplies to Cruizers, &c. - - - -	8,040	15,456	244,744	
MILITARY DEPARTMENT:				
Pay and Allowances to the Staff - - - - - - -		14,000		
Supplies and Stores issued - - - - - - - -		2,000	16,000	260,744
EXTRAORDINARY DISBURSEMENTS:				
CIVIL DEPARTMENT:				
General:				
Purchase of Provisions and Stores - - - - - - -		10,080		
Repairs to Buildings, &c. - - - - - - - - -		1,500		
Deposits - - - - - - - - - - - -		500		
Contingencies - - - - - - - - -		1,000	13,080	
Judicial: Deposits claimable - - - - - - - - - - - -			10,000	
Marine: Rent of the Admiralty House and Expenses - - - - - -			2,300	
MILITARY DEPARTMENT:				
Pay and Allowances of the Local Corps, &c. - - - - - - - - -			22,000	47,380
				308,124
Add, Difference expected to be disbursed on account of Europe and the Presidencies - -				147,800
				455,924
BALANCE expected to remain in the Treasury, &c. on the 30th April 1823 - - - - -				45,729
Dollars - - -				501,653

JAMES C. MELVILL,
Asst Dy Aud. of India Accots.

No. 21.

AN ACCOUNT of the Annual Charges defrayed by the East India Company, for the Management of their Trade and Commerce in BENGAL, MADRAS, BOMBAY, BENCOOLEN, and PRINCE OF WALES ISLAND; also an ACCOUNT of the Factory Charges at CANTON, for Three Years; according to the latest Advices:—With an ESTIMATE of the same for the succeeding Year.

		1819/20.	1820/21.	1821/22.	Per Estimate. 1822/23.
BENGAL:					
Charges at the Presidency, and Subordinates	Cᵗ Rˢ	14,56,778	15,84,965	12,26,517	14,22,753
or, at 2*s*. the Current Rupee	£.	145,678	158,496	122,652	142,200
MADRAS:					
Charges at the Presidency, and Subordinates	Pagodas	1,96,380	1,98,782	1,03,050	85,048
or, at 8*s*. the Pagoda	£.	78,552	79,503	41,220	34,019
BOMBAY:					
Charges at the Presidency, and Subordinates	Rupees	4,19,262	2,91,322	2,05,792	3,70,988
or, at 2*s*. 3*d*. the Rupee	£.	47,167	32,774	23,143	41,736
BENCOOLEN:					
Charges at the Residency	Currᵗ Rupees	15,992	28,909	25,956	23,619
or, at 2*s*. the Current Rupee	£.	1,599	2,891	2,595	2,362
PRINCE OF WALES ISLAND:					
Charges at the Presidency	Dollars	3,606	6,894	5,446	5,576
or, at 5*s*. the Dollar	£.	901	1,723	1,361	1,394
CANTON:					
Charges at the Factory	Tales	174,819	176,851	179,311	174,241
or, at 6*s*. 8*d*. the Tale	£.	58,273	58,950	57,437	58,080
TOTAL	£. Stᵍ	332,170	334,337	248,408	279,791

East India House,
13th May 1824.

(Errors excepted)

JAMES C. MELVILL,
Assᵗ Dʳ Aud. of India Accoᵗˢ.

No. 22.

An ACCOUNT of the Amount received at the several Presidencies of Fort William, Fort St. George, Bombay, and at Bencoolen and Prince of Wales Island, for Sales of Import Goods, for Three Years; according to the latest Advices:—With an Estimate of the same for the succeeding Year.

		1819/20.	1820/21.	1821/22.	Per Estimate. 1822/23.
BENGAL	C^t Rupees	34,95,567	25,49,844	34,36,034	31,60,482
	or, at 2*s.* the Current Rupee - £.	349,557	254,984	343,603	316,048
MADRAS	Pagodas	1,58,532	70,631	1,30,036	1,58,993
	or, at 8*s.* the Pagoda - - - £.	63,413	28,252	52,014	63,597
BOMBAY	Rupees	17,11,817	18,31,756	22,71,593	20,40,000
	or, at 2*s.* 3*d.* the Rupee - - £.	192,579	206,072	255,554	229,500
BENCOOLEN	C^t Rupees	1,48,764	2,20,719	2,52,719	2,22,000
	or, at 2*s.* the Current Rupee - £.	14,876	22,072	25,272	22,200
PRINCE OF WALES ISLAND	Dollars	13,973	8,095	3,920	10,000
	or, at 5*s.* the Dollar - - - £.	3,493	2,024	980	2,500
	Total - - £. St^g	623,918	513,404	677,423	633,845

East India House,
13th May 1824.

(Errors excepted)

JAMES C. MELVILL,
Ass^t D^y Aud of India Acco^ts.

Nº 23.

AN ACCOUNT of the PRIME COST of all CARGOES purchased by the EAST INDIA COMPANY in INDIA, and shipped for EUROPE, for Three Years; according to the latest Advices.

		1819/20.	1820/21.	1821/22.
BENGAL - - - - - - - - - -	Cᵗ Rˢ -	1,08,48,868	1,14,50,960	1,10,41,755
or, at 2 *s.* the Current Rupee - -	£.	1,084,887	1,145,096	1,104,175
MADRAS - - - - - - - - - -	Pagodas -	7,04,079	7,00,525	3,64,861
or, at 8 *s.* the Pagoda - - -	£.	281,631	280,211	145,944
BOMBAY - - - - - - - - - -	Rupees -	9,89,353	9,74,315	45,568
or, at 2 *s.* 3 *d.* the Rupee - -	£.	111,302	109,610	5,126
FORT MARLBRO' - - - - - - -	Cᵗ Rˢ -	- - -	- - -	1,08,012
or, at 2 *s.* the Current Rupee - -	£.	- - -	- - -	10,801
TOTAL - -	£. Stᵍ	1,477,820	1,534,917	1,266,046

East India House,
13th May 1824.

(Errors excepted.)

JAMES C. MELVILL,
Assᵗ Dʸ Aud. of India Accoᵗˢ.

EAST INDIA ACCOUNTS:

VIZ.

—(1.)—

ANNUAL ACCOUNT, made up to the 1st day of May 1824;—Containing, The Amount of the Proceeds of the Sale of Goods and Merchandize of The EAST INDIA COMPANY in *Great Britain*, and of their Commercial and other Receipts, Charges, and Payments, in *Great Britain*, under the several Heads thereof; together with an ESTIMATE of the same for the Current Year;—and, A Statement of their BOND DEBTS and SIMPLE CONTRACT DEBTS, with the Rates of Interest they respectively carry, and the Amount of such Interest; and the State of CASH remaining in their Treasury, and other Effects appertaining to the Company, in *Great Britain* and Afloat; distinguishing the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the Political and Territorial Branch, from the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the Commercial Branch:

—(2.)—

AN ACCOUNT of NEW or INCREASED SALARIES, ESTABLISHMENTS or PENSIONS, payable in *Great Britain*, granted or created between 1st May 1823 and 1st May 1824:—and ALLOWANCES, COMPENSATIONS, REMUNERATIONS, and SUPERANNUATIONS, granted to the Officers and Servants of The EAST INDIA COMPANY, under the 93d section of the Act 53 Geo. 3. c. 155, for the same period.

East India House,
26 May 1824.

THOS G. LLOYD,
Accountant General.

Ordered, by The House of Commons, *to be Printed*,
22 *June* 1824.

(1.)—ANNUAL ACCOUNT, made up to the 1st day of May 1824;—containing, The Amount of the Proceeds of other Receipts, Charges, and Payments, in *Great Britain*, under the several Heads thereof; together with an DEBTS, with the Rates of Interest they respectively carry, and the Amount of such Interest; and the State of Afloat; distinguishing the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the POLITICAL and TERRITORIAL

AMOUNT of the Proceeds of the Sale of Goods and Merchandize of The *East India Company*, in *Great Britain*, together with an Estimate of the same, for the Current year; distinguishing the Receipts and

POLITICAL AND

RECEIPTS:	£.	s.	d.
BILLS on Account of Supplies to the Public Service	64,855	10	1
Produce of Spices received from the Moluccas, sold on account of Government	33,060	–	–
Unclaimed Prize Money paid into the Company's Treasury, and carried over in conformity to the Act 1 & 2 Geo. IV. c. 61, applicable to Lord Clive's Fund - less Claims allowed thereout	2,423	8	7
£.	100,338	18	8

COMMERCIAL

	£.	s.	d.
COMPANY'S Goods	5,260,680	16	6
Charges on Private Trade, warehoused and sold by the Company	146,587	1	11
Customs on Private Trade	3,290	1	5
Freight on Private Goods imported and exported	4,835	16	5
Interest on the Annuities	36,226	15	10
Owners of Ships, for Advances and Supplies furnished them Abroad, and Goods short delivered in India and China of outward Consignments	10,555	–	–
Private Trade Goods sold	2,443,893	15	1
Fee Funds for the House and Warehouses	83,577	–	2
Widows Funds for Officers of House and Warehouses, and for Elders, Extra Clerks, &c. employed in the House and Warehouses	14,155	2	9
Charges on Spices sold for Government	1,939	–	–
Almshouses at Poplar, and Seamen's Wages unclaimed	24,713	6	9
Dividends on Stock standing in the Company's name	56,519	9	8
Interest and Discounts on anticipated Payments	32,849	8	10
Money borrowed of the Bank	1,500,000	–	–
£.	9,619,822	15	4

		£.	s.	d.
Balance in favour 1st May 1823 (exclusive of Duty on Tea) £.		2,516,126	8	4
Territorial Receipts	£. 100,338 18 8	9,720,161	14	–
Commercial D°	9,619,822 15 4			
£.		12,236,288	2	4

the Sale of Goods and Merchandize of The EAST INDIA COMPANY in *Great Britain*, and of their Commercial and
ESTIMATE of the same for the Current year;—and, a Statement of their BOND DEBTS and SIMPLE CONTRACT
CASH remaining in their Treasury, and other Effects appertaining to the Company, in *Great Britain*, and
BRANCH, from the RECEIPTS and PAYMENTS, DEBTS and ASSETS in the COMMERCIAL BRANCH

and of their Commercial and other Receipts, Charges, and Payments, in *Great Britain*, under the several Heads thereof;
Payments in the *Political* and *Territorial* Branch, from those in the *Commercial* Branch.

TERRITORIAL BRANCH.

PAYMENTS:				£.	s.	d.
BILLS of Exchange from India, for Principal and Interest of Indian Debt; viz.						
Principal	£. 2,965,332	16	7			
Interest	620,131	12	10			
Effects of deceased Officers, and other Remittances	44,932	8	2			
				3,630,396	17	7
Bullion imported from India, remaining Charges on Importations of 1822/23				1,459	5	–
Freight of Stores, &c chargeable to Government				44	13	9
Spices imported from the Moluccas, payments to Government on account Proceeds realized and to be realized				112,303	5	4
Territorial and Political Charges and Advances in England:						
On account Military and Marine Stores exported and to be exported				349,922	14	7
Officers Pay on Furlough and Retirement				332,813	14	8
Passage of Military, and Supplies to them on Voyage				41,538	16	1
Political Freight and Demorage				131,298	9	2
Carnatic Debts, Interest on Claims adjudicated	£ 93,717	11	5			
— Salaries of Commissioners, and Current Charges of the Commission; the part chargeable to the Carnatic Fund	5,456	–	6			
				99,173	11	11
Charges on account St. Helena - - Bills, &c. paid	£. 46,551	19	2			
Exports provided	30,792	4	–			
				77,344	3	2
D° - Bencoolen - - Exports provided				2,281	18	9
D° - Prince Wales Island, Bills, &c, paid	£ 206	6	4			
Exports provided	796	8	6			
				1,002	14	10
Political Charges General				392,003	13	2
Payments under the Act 4 Geo. IV. c. 71, on account Retiring Pay, Pensions, &c. of King's Troops serving in the East Indies				120,002	5	–
£.				5,291,586	3	–

BRANCH

				£.	s.	d.
CUSTOMS				15,976	2	3
Freight and Demorage				738,490	7	2
Goods for Sale and Use, exported and to be exported				1,071,602	1	6
Commander's Certificates, and Bills of Exchange from China and the Cape				185,401	8	4
Charges General				411,093	1	10
Interest on the Bond Debt				140,139	11	2
Dividends on Stock				626,564	12	11
Almshouses at Poplar				16,166	4	–
Private Trade				2,527,141	19	2
Fee Funds for the House and Warehouses				84,820	16	8
Widows Funds for Officers of the House and Warehouses, and for Elders, Extra Clerks, &c employed in the House and Warehouses				8,574	17	11
Bonds paid off under the Advertisement for Reduction of the Interest on the Bond Debt, to 3 ½ per cent				75	–	–
Unclaimed Prize Money paid in on account Poplar Fund, &c. Claims allowed thereout, Charges defrayed				64	6	9
£.				5,826,110	9	8
Territorial Payments	£. 5,291,586	3	–			
Commercial D°	5,826,110	9	8			
				11,117,696	12	8
Balance in favour 1st May 1824 (exclusive of Duty on Tea)				1,118,591	9	8
£.				12,236,288	2	4

ESTIMATE OF THE SAME FOR THE CURRENT YEAR,

POLITICAL AND

RECEIPTS:		£.
BILLS of Exchange for Supplies to His Majesty's Government		37,743
Bullion from India arrived and expected		981,000
	£.	1,018,743

COMMERCIAL

To be received for Company's Goods	£.	5,066,357
Private Trade sold before 1st May 1824		695,031
Interest on the Annuities		36,226
Charges on Private Trade		100,000
Commissioners His Majesty's Navy, Balance due on the Sunn Hemp Interest Account		60,000
Dividends on Stock standing in the Company's name		56,518
		6,014,132
BALANCE in favour on 1st May 1824 (exclusive of Duty on Tea)		1,118,591
Territorial Receipts	£. 1,018,743	
Commercial D°	6,014,132	7,032,875
	£.	8,151,466

FROM THE FIRST MAY 1824, TO THE FIRST MAY 1825.

TERRITORIAL BRANCH.

PAYMENTS:		£.
BILLS of Exchange from India		936,484
Military, Garrison, and Marine Stores		300,898
Passage of Military		50,000
Political Freight and Demorage		170,000
Officers on Furlough, and Retirement		334,000
Carnatic Debts, Interest and Charges payable from the Carnatic Fund		94,400
Political Charges, General		400,000
Island of St. Helena — Bills, &c.	£ 32,467	
Exports	23,550	
		56,017
Pay Office Demands, Molucca Spices, &c.		200,000
Payments under the Act 4 Geo. IV. c. 71, on account Retiring Pay, Pensions, &c. of King's Troops serving in the East Indies		60,000
Warrants passed the Court unpaid		67,700
	£	2,669,499

BRANCH.

	£.
CUSTOMS	3,000
Freight	586,450
Exports	967,422
Bills of Exchange	196,881
Charges, General	420,000
Interest on Bonds	157,212
Dividends on Stock	674,829
Proprietors of Private Trade, for Goods sold before 1st May 1824	817,094
Bonds advertized to be paid off	15,417
Buyers of Tea returned	971
Warrants passed the Court unpaid	42,600
Money borrowed, to be repaid on account	1,000,000
Interest on that Loan	45,900
£.	4,926,876

		£.
Territorial Payments	£. 2,669,499	
Commercial D°	4,926,876	
		7,596,375
Balance in favour on 1st May 1825 (exclusive of Duty on Tea)		555,091
	£.	8,151,466

A STATEMENT OF THEIR BOND DEBTS AND SIMPLE CONTRACT DEBTS,

State of CASH remaining in their Treasury, and other Effects appertaining to

Distinguishing the DEBTS and ASSETS in the POLITICAL and TERRITORIAL

POLITICAL AND

DEBTS:	£.
TO Bills of Exchange unpaid, from India and St. Helena - - - -	653,951
to Warrants passed the Court unpaid - - - - - - - - - -	67,700
to Amount owing for Territorial Exports - - - - - - - - -	74,088
to Unclaimed Prize Money applicable to Lord Clive's Fund (Act 1 & 2 Geo. IV.)	56,949
to the Commercial Branch, for Territorial and Political Payments made in England, between 1st May 1814 and 1st May 1824 - - - -	*8,306,913
to His Majesty's Government, due on account of Pay Office demands Spices from the Moluccas, &c. - - - - - - - - - -	91,207
£.	9,250,808

COMMERCIAL

	£.
TO Bills of Exchange, unpaid - - - - - - - - - - -	194,118
to Customs - - - - - - - - - - - - - -	3,000
to Freight and Demorage - - - - - - - - - - - -	254,000
to Supra Cargoes Commission on all Goods sold and unsold - - - -	66,121
to Proprietors of Private Trade on all Goods sold - - - - - - -	817,094
to Almshouses at Poplar (Poplar Fund) - - - - - - - - -	231,874
to unclaimed Prize Money applicable to D° (Act 1 & 2 Geo. IV.) - -	33,530
to - D° - of which the appropriation has not yet been ascertained - -	2,943
to Warrants passed the Court unpaid - - - - - - - - - -	42,600
to what owing for Teas returned by the Buyers and resold - - - - -	971
to Dividends on Stock - - - - - - - - - - - -	44,829
to Interest on Bonds - - - - - - - - - - - - -	31,652
to Amount owing for Commercial Exports - - - - - - - -	92,272
to Amount owing to the Fee Funds and Widows Funds - - - - -	20,365
to Amount borrowed from the Bank, at 3 ½ per cent per annum - - -	1,500,000
£.	3,335,369

		£.	£.
Territorial and Political Debts, brought down -	£.9,250,808		
D° - - - - - Assets - D° - -	1,360,669		
Territorial Assets deficient - - -		7,890,139	
Commercial Debts, brought down - - -	£. 3,335,369		
D° - - - - - Assets - D° - -	24,963,306		
Commercial Assets in favour - -		21,627,937	
Assets in favour - - -		- - £.	13,737,798
To Amount of the Company's Home Bond Debt, bearing Interest at 3½ per cent per annum - - - - -		3,922,237	
to Amount - D° - not bearing Interest - - -		15,417	3,937,654
Assets in favour. - - - - -		£.	9,800,144

with the Rates of Interest they respectively carry, and the Amount of such Interest, and the
the Company in *Great Britain* and Afloat Outward, on the 1st May 1824:
Branch, from the DEBTS and ASSETS in the COMMERCIAL Branch.

TERRITORIAL BRANCH.

ASSETS:	£
BY Exports of Military Stores, &c. shipped in Season 1823/24, with the Amount remaining unshipped on 1st May 1824 - - - - - - - -	521,768
by Cargoes from England of Season 1822/23, not arrived in India, &c. at the close of the Official Year 1822/23 - - - - - - - - -	262,233
by what owing from sundry Persons, for Advances repayable in England - -	4,843
by Bills of Exchange drawn on H. M. Government, for Supplies furnished in India, unpaid 1st May 1824 - - - - - - - - - -	37,743
by Value (per Estimate) of a Diamond taken at Nassick - - - -	18,000
by Value of Carnatic Stock belonging to the Company - - - - -	34,845
by Balances in the hands of Officers of the House, &c. advanced to pay Political Charges - - - - - - - - - - - - - -	187
by Amount of Bullion from India arrived on the Territorial and Political Account	481,050
£.	1,360,669

BRANCH.

	£.
BY what due from the Public to the Company, East India Annuities engrafted on the 3 per Cents Reduced, per Act 33 Geo. 3. c. 47. - - - - -	1,207,560
by Cash, its balance on 1st May 1824 - - - - - - - - -	1,118,591
by amount of Goods sold, not paid for - - - - - - - - -	1,570,954
by Value of Goods in England unsold - - - - - - - - - -	6,939,814
by Cargoes from England of 1822/23, not arrived in India and China at the close of the Official Year 1822/23 - - - - - - - - - -	955,594
by Exports shipped in Season 1823/24, together with the Amount remaining unshipped 1st May 1824 - - - - - - - - -	1,373,188
by Impress paid Owners of Ships not arrived in England - - - - -	112,866
by Value of Ships, Sloops and Vessels, exclusive of those stationed abroad -	236,247
by Value of the East India House and Warehouses - - - - - -	1,274,000
by Balance due from Commissioners of H. M. Navy, on the Sunn Hemp Interest Account - - - - - - - - - - - - - - - -	60,000
by what owing from sundry Persons for Advances repayable in England - -	7,890
by Balances in the hands of Officers of the House and Warehouse-keepers -	4,556
by the Territorial Branch, for Territorial and Political Payments made in England, between 1st May 1814 and 1st May 1824 - - - - -	*8,306,913
by Stock in the Public Funds standing in the Company's Name, valued at the Market prices on the 1st May 1824 - - - - - - - - -	1,795,133
£.	24,963,306

* *Memorandum:*

THIS Balance is subject to reduction, by the Amount of the Advances made in India from the Territorial Branch to the Commercial Branch, in the Indian Official Years 1822/23 and 1823/24; the Documents whereby the Amount of these Advances is to be ascertained, have not as yet been received from India, but which it is estimated, may amount to £. 4,642,475; which will leave a Balance due to the Commerce, of £. 3,664,438.

In the period from the 1st May 1814 to 1st May 1824, there has also been advanced or set apart from the Surplus Commercial Profits in England, the sum of £. 4,754,902 towards the liquidation of Indian Territorial Debt; which being a payment under the 4th head of Appropriation of the 57th section of the 53d Geo. 3d. is not held to constitute a claim upon the Territorial Department for repayment, upon the principle observed in respect to other Territorial Advances.

East India House, 26 May 1824. (Errors excepted.) THOˢ G. LLOYD, Accᵗ Genˡ.

AN ACCOUNT of NEW or INCREASED SALARIES, ESTABLISHMENTS, or PENSIONS, payable in *Great Britain*, granted or created between 1st May 1823 and 1st May 1824.

SALARIES	Political.			Commercial			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
TO Lieut. Col. Pasley, for instructing Cadets for the Company's Engineer Service, placed under his command at Chatham	200	-	-	-	-	-	200	-	-
Increase of Salary to the Rev. Henry G. Keene and the Rev. Henry Anderson, Assistant Professors at the East India College, £. 100 per annum each	173	-	-	27	-	-	200	-	-
To Lieut Talbot Ritherdon, Assistant Adjutant to the Company's Military Seminary	182	10	-	-	-	-	182	10	-
Increase of Salary to Mr. Peter Oger, French Master at D°	100	-	-	-	-	-	100	-	-
- - - - - - - Capt. Chaplin, Professor Military Drawing, &c. at D°	100	-	-	-	-	-	100	-	-
- - - - - - - Mr. W^m Gunston, Assistant Clerk to Committee of Shipping	-	-	-	150	-	-	150	-	-
- - - - - - - Mr Philip Melvill, 1st Clerk Military Secretary's Office	100	-	-	-	-	-	100	-	-
- - - - - - - Mr. Edw^d Bolger, 1st Clerk Bengal Warehouse	-	-	-	50	-	-	50	-	-
- - - - - - - Mr. Will^m Pearse, 1st Clerk East India Wharf	-	-	-	50	-	-	50	-	-
- - - - - - - Dr. Davies, Surgeon at the Depôt at Chatham	40	-	-	-	-	-	40	-	-
- - - - - - - Mr. Donald Cameron, Sub Inspector Military Stores	25	-	-	-	-	-	25	-	-
- - - - - - - Mr. George Wharton, Examiner of D°	20	-	-	-	-	-	20	-	-
- - - - - - - Mr. Sam^l Kershaw and George Friend, Clerks in the Accountant's Office, £. 20 per annum each	10	-	-	30	-	-	40	-	-
- - - - - - - Peter Cropper, John Saunders, and A. Raymont, Doorkeepers to the Court Room, £. 20 per annum each	40	-	-	20	-	-	60	-	-
Additional Allowances to Extra Clerks, not exceeding £. 30 per annum to each respectively	33	6	8	16	13	4	50	-	-
Additional Salaries, not exceeding £. 20 per annum respectively, to junior and other Clerks of the Establishment of the House and Warehouses, under the Salary Regulations	691	13	4	1,813	6	8	2,505	-	-
£.	1,715	10	-	2,157	-	-	3,872	10	-
PENSIONS, &c									
TO Sir Henry Russell, Bart. late Chief Justice at Bengal, his Pension under the Act 37 Geo. 3, relative to Judges, now made payable in England	2,000	-	-	-	-	-	2,000	-	-
Mr. Rich^d Sawyer, since deceased, formerly employed to assort the Company's Cinnamon, in consideration of his afflicted situation	-	-	-	200	-	-	200	-	-
Mrs Rich, widow of the late resident at Bagdad, in consideration of her destitute condition	200	-	-	-	-	-	200	-	-
Mr. James Buttevant, late an Overlooker of Cloth, in consideration of his affliction	-	-	-	200	-	-	200	-	-
Mr. T. B. Breame, sen. formerly Company's Farmer at St. Helena, now made payable in England	150	-	-	-	-	-	150	-	-
Mr. Will^m Brown Hockley, late of the Bombay Civil Establishment, in consideration of his distressed situation	150	-	-	-	-	-	150	-	-
Lieut. John Betham, late of the Bombay Marine, in consideration of the circumstances of his case	120	-	-	-	-	-	120	-	-
Carried forward - - - £.	2,620	-	-	400	-	-	3,020	-	-

The Account of New or Increased Salaries, &c.—*continued.*

PENSIONS, &c.—*continued.*	Political.			Commercial.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Brought forward - - - -	2,620	–	–	400	–	–	3,020	–	–
The Abbé Dubois, a long time Roman Catholic Missionary in India, in consideration of the high character he established, and the number of patients vaccinated under his immediate charge, £. 20 per annum in addition to £. 80 per annum granted in India; now made payable in England - - - -	100	–	–	-	-	-	100	–	–
Mrs. Beattie, for the support of her son, Assistant Surgeon Beattie, late of the Bengal Establishment, now in a state of insanity -	100	–	–	-	-	-	100	–	–
Rose Hyder, and the four children of the late Gholaum Hyder, Persian Writing Master at the East India College, in consideration of the destitute situation of his family - - -	87	–	–	13	–	–	100	–	–
Mr. Stephen Parrock, late of the Madras Medical Establishment, being in a state of insanity - - - - - - -	100	–	–	-	-	-	100	–	–
Lieut. Cutliffe, late of the Madras Establishment - - D° -	100	–	–	-	-	-	100	–	–
Mrs. Mary Ann Sawyer, widow of the late Assorter of the Company's Cinnamon - - - - - - - - -	-	-	-	100	–	–	100	–	–
Mrs. Marg^t Mignan, widow of Lieut. Col. Mignan, of the Bombay Establishment, in consideration of her distress with a family of five children - - - - - - - - -	90	–	–	-	-	-	90	–	–
Mr. James Wood, late a Messenger, in consideration of his age and infirmities - - - - - - - - - -	40	–	–	40	–	–	80	–	–
Mrs. Ann Macmurdo, mother of the late Captain Macmurdo, resident at Cutch, on account of her son's services, and the necessitous situation in which she is placed by his death - -	70	–	–	-	-	-	70	–	–
Mr. Will^m Storey, late Lieutenant Madras Establishment, on account of ill health - - - - - - - - -	60	–	–	-	-	-	60	–	–
Mr. Philip Davies, late a Doorkeeper, in consideration of his misfortunes - - - - - - - - - - -	43	6	8	21	13	4	65	–	–
Mrs. Ann Barnard, widow of Capt. Charles Barnard, who formerly commanded the ship Wexford - - - - - - -	-	-	-	60	–	–	60	–	–
The three daughters of the late Mr. John Scott, formerly Master Attendant at Samarang, &c. in consideration of their destitute situation - - - - - - - - - - -	60	–	–	-	-	-	60	–	–
Brevet Capt. Cha^s O. Aveline, late of the Madras Cavalry, in consideration of the very distressing circumstances of his case -	50	–	–	-	-	-	50	–	–
Mr. John Hill, late a Lieutenant of the Bombay Marine - -	45	–	–	-	-	-	45	–	–
Mrs. E. Foley, widow of a Lieutenant of D°, granted in India; now made payable in England - - - - - -	41	5	–	-	-	-	41	5	–
Mrs. Elizabeth Grubb, widow of a Lieutenant Bombay Marine -	41	5	–	-	-	-	41	5	–
Mrs. Marg^t E. Watson - - - - - D° - - - - -	41	5	–	-	-	-	41	5	–
Mrs. Jane Jemima Stout - - - - D° - - - - -	41	5	–	-	-	-	41	5	–
The two daughters of the late Major J. Himing, of the Madras Establishment, in consideration of their father's retirement from the service being occasioned by a severe wound received in action, £. 20 per annum each - - - - - - -	40	–	–	-	-	-	40	–	–
Capt. Edward Hall, late of the Bengal Artillery, in consideration of all the circumstances of his case - - - - - -	40	–	–	-	-	-	40	–	–
Mrs. Oliver Yull, widow of the late Groom at Padnalls, in consideration of her family of eight children - - - -	40	–	–	-	-	-	40	–	–
Mrs. Rebecca Hailes, widow of a pensioned Inspector of Private Trade, in consideration of her distressed situation - -	-	-	-	30	–	–	30	–	–
Mr. Rob^t S. M'Gregor, late a Lieutenant Bengal Establishment, in consideration of his distress - - - - - - -	30	–	–	-	-	-	30	–	–
Sundry small Pensions under £. 30 per annum each - - - -	134	10	–	30	–	–	164	10	–
£.	4,014	16	8	694	13	4	4,709	10	–

ALLOWANCES, COMPENSATIONS, REMUNERATIONS, and SUPERANNUATIONS, granted to the Officers and Servants of The *East India Company*, under the 93d sect. of the Act of the 53d Geo. 3. c. 55, between the 1st May 1823 and 1st May 1824.

NAME.	STATION.	Number of Years Service.	Amount of Salary, and allowed Emoluments.	Proportion of Income which the Court are empowered to grant.	AMOUNT OF SUPERANNUATION ALLOWANCE		
					Political.	Commercial.	TOTAL.
			£.		£.	£.	£.
Mr. Samuel Hill -	late Sealer of Stores -	30	150	$^{2}/_{3}{}^{ds}$	- - -	100	100

East India House,
26 May 1824.

(Errors excepted.)

THO^{s} G. LLOYD,
Acc^{t} Gen^{l}.

EAST INDIA ACCOUNTS.

VIZ.

—(1.)—

ANNUAL ACCOUNT, made up to the 1st day of May 1824, Containing, The Amount of the Proceeds of the Sale of Goods and Merchandise of the EAST INDIA COMPANY in *Great Britain*, and of their Commercial and other Receipts, Charges, and Payments, in *Great Britain*, under the several Heads thereof; together with an ESTIMATE of the same for the Current Year;—and, A Statement of their BOND DEBTS and SIMPLE CONTRACT DEBTS, with the Rates of Interest they respectively carry, and the Amount of such Interest; and the State of CASH remaining in their Treasury, and other Effects appertaining to the Company, in *Great Britain*, and Afloat, distinguishing the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the Political and Territorial Branch, from the RECEIPTS and PAYMENTS, DEBTS and ASSETS, in the Commercial Branch.

—(2.)—

AN ACCOUNT of NEW or INCREASED SALARIES, ESTABLISHMENTS or PENSIONS payable in *Great Britain*, granted or created between 1st May 1823 and 1st May 1824 —and ALLOWANCES, COMPENSATIONS, REMUNERATIONS, and SUPERANNUATIONS, granted to the Officers and Servants of The EAST INDIA COMPANY, under the 93d Section of the Act 53 Geo 3 c. 155 for the same period.

Ordered, by The House of Commons, *to be Printed,*

22 *June* 1824.

460.

ACCOUNTS

RELATING TO

THE TEA TRADE, &c. OF THE EAST INDIA COMPANY.

VIZ.

— 1. —

AN ACCOUNT of the several TEA SALES of The *East India* Company, in the Two Years ending the 5th January 1824; specifying, the Quantity of each kind of Tea sold, the average Price at which each kind was put up, and the average Price at which each kind was sold, at each Sale

— 2. —

AN ACCOUNT of the Rate of FREIGHT per Ton, paid by The *East India* Company from *China*, on the Average of the whole Tonnage of the Years 1822 and 1823

— 3. —

AN ACCOUNT of the Quantity of REGISTERED TONNAGE belonging to The *East India* Company, clearing out annually from the Port of *Canton*, for the Years since 1820, as far as the same can be made out.

— 4. —

AN ACCOUNT of the Quantity of TEA Exported by The *East India* Company from *Canton*, specifying the several Kinds of Tea, and the prime Cost of the same, in each Year since 1819, up to the latest Period the same can be made out

— 5. —

AN ACCOUNT of the Quantity of BRITISH MANUFACTURES Imported by The *East India* Company into the Port of *Canton*, in each Year, from the Year 1819 to the latest Period the same can be made out; distinguishing the Value and Quantities of Woollens and Cottons imported.

— 6. —

AN ACCOUNT of the Expense of The *East India* Company's Establishment at *Canton*, specifying the Names of the Servants, and the Amount of the Salaries and Emoluments of each, and of the whole Cost for the Maintenance of the same, in each Year since 1819,—also, STATEMENT of any other Expenses incurred by The *East India* Company, in carrying on their Trade to *China*, and in their conduct of it in *England*, in each Year for the last Seven Years

Ordered, by The House of Commons, *to be Printed,*
14 *May* 1824.

1.—AN ACCOUNT of the several Tea Sales of The *East India* Company, in the Two Years ending the

was put up, and the average Price at which

	March Sale 1822.			June Sale 1822.			September Sale 1822			December Sale 1822:		
—	Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb.	Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb.	Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb	Quantity Sold.	Average putting-up Price per lb	Average Sale Price per lb.
	lbs	*s d*	*s d*	*lbs*	*s d*	*s d*	*lbs.*	*s d*	*s d*	*lbs*	*s d*	*s. d.*
BOHEA - -	996,268	1 6	2 5 $\frac{8}{10}$	481,672	1 6	2 6 $\frac{3}{10}$	436,768	1 6	2 5 $\frac{5}{10}$	504,323	1 6	2 4 $\frac{7}{10}$
CONGOU - -	4,752,966	2 1 $\frac{6}{10}$	2 8 $\frac{2}{10}$	4,721,018	2 1 $\frac{1}{10}$	2 8	4,732,091	2 1 $\frac{2}{10}$	2 8	4,363,194	2 1 $\frac{6}{10}$	2 8
CAMPOI - -	39,873	2 6	3 9 $\frac{1}{10}$	- -	- -	- -	156,856	2 6	3 7 $\frac{3}{10}$	- -	- -	- -
SOUCHONG -	45,322	3 –	3 11	406,582	2 3	2 10 $\frac{9}{10}$	373,889	2 4	2 10 $\frac{8}{10}$	679,257	2 3 $\frac{4}{10}$	2 9 $\frac{1}{10}$
PEKOE - -	- -	- -	- -	- -	- -	- -	103	2 10	6 1 $\frac{5}{10}$	44,654	2 10	4 4 $\frac{7}{10}$
TWANKAY, -	1,134,772	2 4	3 1 $\frac{8}{10}$	1,171,484	2 4	3 4 $\frac{1}{10}$	799,159	2 4	3 5 $\frac{5}{10}$	1,055,731	2 4	3 5 $\frac{2}{10}$
HYSON-SKIN -	76,251	2 4	3 1 $\frac{7}{10}$	39,015	2 4	3 3 $\frac{1}{10}$	59,436	2 4	3 4 $\frac{5}{10}$	46,991	2 4	3 4 $\frac{2}{10}$
HYSON - -	237,897	3 11 $\frac{4}{10}$	4 6 $\frac{4}{10}$	201,027	3 1 $\frac{5}{10}$	4 4 $\frac{3}{10}$	196,052	3 3 $\frac{8}{10}$	4 2 $\frac{2}{10}$	197,858	3 1 $\frac{1}{10}$	4 – $\frac{8}{10}$
Total Quantity Sold - -	7,283,349	- -	- -	7,020,798	- -	- -	6,754,354	- -	- -	6,792,008	- -	- -

Mem.—The Quantity of Tea refused by

		lbs.
1822.	March Sale - - - - - - - - - -	13,184.
	June Sale - - - - - - - - - -	—
	September Sale - - - - - - - - -	81.
	December Sale - - - - - - - - -	660.

East India House,
12th May 1824.

Errors Excepted.

5th January 1824. specifying, the Quantity of each kind of Tea Sold, the average Price at which each kind each kind was Sold, at each Sale

March Sale 1823.			June Sale 1823			September Sale 1823:			December Sale 1823.			
Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb	Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb	Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb	Quantity Sold	Average putting-up Price per lb	Average Sale Price per lb	—
lbs	*s d*	*s d*	*lbs*	*s. d*	*s d*	*lbs*	*s d*	*s d.*	*lbs*	*s d*	*s d*	
451,797	1 6	2 5$\frac{2}{10}$	453,345	1 6	2 5	499,542	1 6	2 5	499,751	1 6	2 4$\frac{2}{10}$	- BOHEA
5,006,545	2 3$\frac{3}{10}$	2 7$\frac{3}{10}$	4,806,554	2 3$\frac{3}{10}$	2 7$\frac{4}{10}$	4,027,376	2 3$\frac{5}{10}$	2 8$\frac{4}{10}$	4,841,409	2 3$\frac{6}{10}$	2 8$\frac{1}{10}$	- CONGOU
166,207	2 9	3 5$\frac{3}{10}$	- -	- -	- -	117,919	2 9	3 7	124,643	2 9	3 5$\frac{7}{10}$	- CAMPOI
31,940	3 –	4 4$\frac{7}{10}$	351,209	2 3	2 9$\frac{7}{10}$	805,633	2 3$\frac{9}{10}$	2 11$\frac{3}{10}$	96,448	3 –	4 –$\frac{3}{10}$	- SOUCHONG
- -	- -	- -	2,687	2 3	5 9$\frac{8}{10}$	28,721	2 3	4 10$\frac{9}{10}$	14,597	2 10	5 2$\frac{6}{10}$	- PEKOE
1,139,522	2 5	3 4$\frac{6}{10}$	1,018,431	2 5	3 5$\frac{2}{10}$	1,006,833	2 5	3 5	993,569	2 5	3 5$\frac{3}{10}$	- TWANKAY
60,216	2 6	3 3$\frac{9}{10}$	54,008	2 6	3 5$\frac{2}{10}$	95,740	2 6	3 4$\frac{3}{10}$	109,461	2 6	3 4$\frac{9}{10}$	- HYSON-SKIN.
221,935	3 10$\frac{3}{10}$	4 5$\frac{4}{10}$	247,520	2 5$\frac{4}{10}$	4 2$\frac{9}{10}$	275,351	2 7$\frac{9}{10}$	4 1$\frac{2}{10}$	172,040	3 5	4 7	- HYSON
7,078,162	- -	- -	6,933,754	- -	-	6,857,115	- -	- -	6,851,918	- -	- -	- {Total Quantity Sold.

the Buyers at each Sale, is:—

		lbs.
1823.	March Sale	77,153.
	June Sale	51,400.
	September Sale	26,600.
	December Sale	124,563.

Tho. G. Lloyd,
Acc^r Gen.

— 2. —

AN ACCOUNT of the Rate of FREIGHT per Ton, paid by The *East India* Company from *China*, on the Average of the whole Tonnage of the Years 1822 and 1823.

			£.	s.	d.
1822 - - -	19 Ships - - - - -	average	21	10	9
1823 - - -	20 Ships - - - - -	—	21	11	5
		£.	43	2	2
	Average - - - - -		£. 21	11	1

East India House,
26th April 1824.

W. Rainerst,
Frt Acct.

— 3. —

AN ACCOUNT of the Quantity of REGISTERED TONNAGE belonging to The *East India* Company, clearing out annually from the Port of *Canton*, for the Years since 1820; as far as the same can be made out.

Year 1821 - - -	23 Ships - - - -	28,817 tons.
— 1822 - - -	22 Ships - - - -	29,535 tons.
— 1823 - - -	22 Ships - - - -	29,930 tons.

East India House,
4th May 1824.

J. Morice.

—4.—

AN ACCOUNT of the Quantity of TEA Exported by The *East India* Company from *Canton*, specifying the several Kinds of Tea, and the prime Cost of the same, in each Year since 1819, up to the latest period the same can be made out.

	1819-20.		1820-21	
—	QUANTITY.	PRIME COST	QUANTITY	PRIME COST
	lbs.	£.	*lbs*	£.
BOHEA - -	3,145,837	126,044	1,964,927	75,330
CONGOU - -	20,447,543	1,344,176	21,624,593	1,425,333
SOUCHONG -	102,884	10,912	67,844	6,876
SONCHI - -	28,311	3,251	40,737	4,455
PEKOE - -	—	—	—	—
TWANKAY - -	3,818,544	280,131	4,008,995	284,262
HYSON-SKIN -	215,875	14,952	174,541	12,239
HYSON - -	717,237	97,936	664,323	87,981
YOUNG HYSON -	—	—	—	—
TOTALS - -	28,476,231	1,877,402	28,545,960	1,896,476

	1821-22.		1822-23.	
—	QUANTITY.	PRIME COST.	QUANTITY.	PRIME COST
	lbs	£.	*lbs*	£.
BOHEA - -	1,653,099	65,013	1,738,293	69,910
CONGOU - -	19,442,034	1,404,763	21,256,129	1,493,962
SOUCHONG -	69,387	7,645	142,345	13,485
SONCHI - -	37,494	3,303	41,004	4,380
PEKOE - -	- - -	- - -	15,463	1,493
TWANKAY - -	3,678,040	263,639	3,486,629	243,589
HYSON-SKIN -	168,620	12,727	165,715	11,961
HYSON - -	665,789	92,251	624,007	84,919
YOUNG HYSON -	31,976	3,374	9,228	1,039
TOTALS - -	25,746,439	1,852,715	27,478,813	1,924,738

East India House,
12th May 1824.

Errors excepted.

Tho. G. Lloyd,
Acct Gen.

—5.—

AN ACCOUNT of the Quantity of British Manufactures Imported by The *East India* Company into the Port of *Canton*, in each Year from the Year 1819 to the latest Period the same can be made out; distinguishing the Value and Quantities of Woollens and Cottons imported.

	1819–20.		1820–21.	
	QUANTITIES.	VALUE.	QUANTITIES.	VALUE.
WOOLLENS:		£.		£.
Broad Cloths - - -	*cloths* 8,814	174,140	*cloths* 12,171	246,889
Stripe List Cloths - -	—	—	—	—
Long Ells - - -	*pieces* 120,640	310,105	*pieces* 123,000	363,841
Embossed Long Ells - -	– 1,800	5,901	– 2,400	8,638
Broad Ells - - -	—	—	—	—
Worleys - - - -	– 4,000	14,720	– 4,000	15,021
Camlets - - - -	– 15,000	123,698	– 15,830	157,103
Total Woollens	*pieces* 150,254	£. 628,564	*pieces* 157,401	£. 791,492
British Calicoes and Cottons	- - -	- - -	*pieces* 4,509	3,628
Cotton Twist - - -	—	—	—	—
Velvets and Velveteens -	- - -	- - -	– 416	1,699
British Iron - - -	*tons* 548	8,534	*tons* 602	9,611
Lead - - - -	– 670	19,301	871	21,880
Tin - - - - -	—	—	—	—
Medicines - - -	*cases* 1	43	—	—
Total Value of British Manufactures imported into Canton in each year - - -		£. 656,442	- - -	£. 828,310

	1821–22.		1822–23.	
	QUANTITIES.	VALUE.	QUANTITIES.	VALUE.
WOOLLENS:		£.		£.
Broad Cloths - - -	*cloths* 13,320	247,006	*cloths* 10,983	179,050
Stripe List Cloths - -	- - -	- - -	*pieces* 285	2,148
Long Ells - - -	*pieces* 132,600	361,712	– 105,000	258,804
Embossed Long Ells - -	– 2,800	9,384	– 2,160	6,718
Broad Ells - - -	- - -	- - -	– 2,280	5,731
Worleys - - - -	– 4,600	16,452	– 3,520	11,837
Camlets - - - -	– 19,000	167,661	– 11,340	98,339
Total Woollens	*pieces* 172,320	£. 802,215	*pieces* 135,568	£. 562,627 *
British Calicoes and Cottons	*pieces* 5,828	4,491	—	—
Cotton Twist - - -	*lbs.* 5,040	552	—	—
Velvets and Velveteens -	—	—	—	—
British Iron - - -	*tons* 1,479	18,773	*tons* 721	9,282
Lead - - - -	– 500	13,194	– 500	12,768
Tin - - - -	– 123	9,077	– 287	20,298
Medicines - - -	—	—	—	—
Total Value of British Manufactures imported into Canton in each year - - -		£. 848,302	- - -	£. 604,975

* *Memorandum:*—The importations of the year 1822–23 would have been enhanced to the following amount had not the ship Regent been lost on her outward voyage; the cargo on board the Regent was as follows; viz.

		£.
Broad Cloth - - - -	*pieces* 2,550	41,436
Stripe List Cloth - - - -	– 55	435
Long Ells - - - - -	– 26,000	64,496
Embossed ditto - - - - -	– 440	1,289
Broad Ells - - - - -	– 720	1,810
Shawl Cloth - - - - -	– 3	117
Camlets - - - - -	– 2,160	18,553
Worleys - - - - -	– 880	2,936
Total Woollens - -	*pieces* 32,808	£. 131,072
British Iron - - - - -	*tons* 215	2,539
Medicines - - - - -	*case* 1	12
		£. 133,623

East India House,
12th May 1824.

Errors excepted.

Tho. G. Lloyd,
Acct Gen.

6.—An ACCOUNT of the Expense of The *East India Company's* Establishment at *Canton*; specifying the Names of the Servants, and the Amount of the Salaries and Emoluments of each, and of the whole Cost for the Maintenance of the same in each Year since 1819.

Salaries and Emoluments; being the proportion of Commission assigned to Servants of the rank of Supra Cargo, of Salaries to Writers not in the Commission, and of Salaries of Persons filling Professional and other distinct Offices at the Factory.		1819–20.	1820–21.	1821–22, partly estimated.	1822–23. partly estimated
Date of Appointment.	Supra Cargoes and Writers:	£.	£.	£.	£.
1795-6.	Joseph Cotton, jun. esq.	8,149	8,540	–	–
1799–1800.	Sir T. J. Metcalfe, bart.	9,779	8,540	8,741	–
–	Sir J. B. Urmston	8,149	10,248	10,489	8,343
1800–1.	James Molony, esq.	8,149	8,540	8,741	6,952
1801–2.	James T. Robarts, esq.	6,791	7,117	8,741	6,952
–	Sir William Fraser, bart.	6,112	6,404	7,285	6,952
1803–4.	F. H. Toone, esq.	5,297	5,551	6,556	–
–	William Bosanquet, esq.	4,618	4,839	5,682	5,801
1804–5.	W. H. C. Plowden, esq.	2,445	2,561	4,953	5,213
1806–7.	William Baynes, esq.	2,173	2,277	2,623	4,517
1808–9.	Charles Millet, esq.	1,766	1,850	2,332	3,939
1812–13.	James Bannerman, esq.	1,766	1,850	1,895	2,085
	- - - D° - allowance as a Student of the Chinese Language	100	100		
–	Charles Marjoribanks, esq.	700	800	1,895	–
–	J. F. Davis, esq.	600	700	500	1,853
	- - D° - - allowance as Student of the Chinese Language	100	100		
1814–15.	J. F. N. Daniell, esq.	500	600	500	1,506
1815–16	T. C. Smith, esq.	400	500	600	1,506
	- - D° - - allowance as Student of the Chinese Language	100	100	100	
–	J. Jackson, esq.	400	500	600	500
1818–19.	G. B. Robinson, esq.	70	200	300	400
–	R. B. Hudleston, esq.	90	200	300	400
1819–20.	E. Wigram, esq	- -	69	200	300
1820–21.	H. H. Lindsay, esq.	- -	- -	69	200
	- - D° - - allowance as Student of the Chinese Language	- -	- -	- -	100
	Persons filling Professional and other distinct Offices at the Factory:				
	Rev. Henry Harding - - Chaplain	800	800	800	800
	Mr. Alexander Pearson - Surgeon	1,300	1,300	1,300	1,300
	Mr. John Livingstone - - D° (including table allowance, on account of his residence at Macao, during the stay of the Factory at Canton	1,480	1,480	1,480	1,480
	Mr. Samuel Ball - - Inspector of Teas	2,500	2,500	1,753	802
	Mr. John Reeves - - Assistant D°	1,000	1,000	1,929	2,000
	Rev. Dr. Morrison - Interpreter	1,000	1,000	1,000	1,000
	Copying writers occasionally employed in the office	462	600	711	624
	Steward, butler, domestic servants, &c. &c.	1,162	1,248	777	507
		77,958	82,114	82,852	66,032
Cost of maintenance, comprising rent and repairs of private apartments, as well as furniture supplied thereto, and the expense of the public table kept in the Factory		12,976	13,539	14,478	13,484
	£.	90,934	95,653	97,330	79,516

STATEMENT of any other Expenses incurred by the EAST INDIA COMPANY, in carrying on their

	1816-17.
IN CHINA.	
	£.
Rent, repairs and furniture, including a charge of 6 per cent per ann. on buildings and other dead stock, the property of the Company in China - - - - - -	7,185
Canton port charges - - - - - - - - - - - - - -	38,629
Duties on imports sold by auction - - - - - - - - - - - -	- - -
Unloading charges - - - - - - - - - - - - - -	4,991
Expense of the removal of the factory to and from Macao; charge of the Company's schooner; boat-hire, &c. - - - - - - - - - - - -	3,228
Expense on account of their reception on board the Company's ships during the discussions with the Chinese authorities - - - - - - - - -	- - -
Linguist's fees, Chinese masters, &c. - - - - - - - - - - -	1,671
Stationery and articles for use - - - - - - - - - - -	353
Wages of coolies and watchmen, packing charges, &c. - - - - - - -	762
Missions of supra cargoes on the service of the Company - - - - - - -	1,186
Petty expenses - - - - - - - - - - - - - - -	96
Printing establishment - - - - - - - - - - - - - -	1,279
£.	59,380
IN ENGLAND	
Proportion attaching to the China Trade, of the charge of Establishments for the joint management of the trade to India and China - - - - - - - -	68,341
Paper, printing, and stationery for the Tea department - - - - - - -	2,284
Rent of warehouses, calculated at the rate of 6 per cent per ann. on the capital invested therein - - - - - - - - - - - - - - - -	19,500
Taxes, parochial rates thereon - - - - - - - - - - -	4,722
Wages of labourers employed therein - - - - - - - - - - -	56,823
Charges, landing Tea, &c. from the ships (including proportion of establishments employed upon this duty) - - - - - - - - - - - - - -	5,777
Amount cooperage on Tea chests, incurred at the period of landing them - - -	2,488
Cartage of Tea from the docks to the warehouses, including wear and tear of caravans -	5,289
Articles supplied for repairing packages and other purposes, after the receipt of the Tea in the warehouses - - - - - - - - - - - - - -	12,089
Dock rates and wharfage payable to the East India Dock Company on Tea imported -	4,752
Proportion of charges incurred on Nankeens and China raw silk imported by the Company	2,331
China Embassy - - - - - - - - - - - - - - - -	7,641
Annual allowance granted to commanders of Company's ships acting as commodore of the fleet at Canton; also pension to a retired inspector of Tea paid in England - -	1,000
Proportion of commercial charges of a general description, not attaching to any particular department - - - - - - - - - - - - - - -	4,874
	197,911
Deduct for such part of the sums received by the Company under the engagements entered into with the commanders and officers of their China ships, as are considered to be in reimbursement of charges actually incurred on Tea imported by them - - - - - - - - - - -	18,075
	179,836
Total - - - £.	239,216

THE above Account does not comprise the proportion of charges of Establishment, and of other from India, and which are added in the invoices, so as to form a constituent part of the Cost of the

Neither the charge for Interest, nor that for Premium of Insurance which the Company are permitted and which amounted in the years comprised in the

	£.
Interest - - - - - - - - - - - - - - - -	256,603
Insurance - - - - - - - - - - - - - - -	84,073

Neither is the amount of the Loss sustained by the Company on occasion of the fire at

These particulars were not regarded as falling within the scope of the order of the

East India House,
12 May 1824.

Errors excepted.

Trade to CHINA, and in their conduct of it in ENGLAND, in each Year, for the last Seven Years.

1817-18.	1818-19.	1819-20	1820-21	1821-22.	1822-23.
£.	£.	£.	£	£.	£.
8,424	7,532	6,777	7,855	10,636	8,426
23,954	24,181	37,099	34,010	33,336	29,704
- - -	- - -	- - -	- - -	744	—
3,164	3,891	3,171	3,973	6,125	2,310
3,228	3,245	3,433	3,267	3,720	4,498
- - -	- - -	- - -	- - -	1,396	—
1,431	1,430	1,721	1,410	1,003	958
332	273	194	526	260	69
1,839	1,240	1,772	1,880	2,119	2,654
—	—	—	—	—	—
138	161	650	234	108	228
1,409	1,463	2,380	1,580	1,335	1,802
43,919	43,416	57,197	54,735	60,782	50,649
80,030	84,989	73,960	72,768	78,903	79,523
2,524	2,426	2,352	2,474	2,480	2,467
19,500	19,500	20,580	20,580	20,580	20,580
4,751	5,226	6,298	4,392	5,610	4,193
52,739	46,159	46,683	48,262	51,737	53,865
5,575	5,688	5,885	5,785	5,247	5,244
2,144	1,437	1,563	2,076	2,156	1,866
4,397	3,721	3,661	4,932	4,227	3,913
10,649	6,656	5,363	9,753	7,433	7,729
5,463	5,601	3,814	3,914	4,850	5,697
2,576	2,123	2,306	2,440	2,889	2,833
37,836	Excess Receipts 200	Excess Receipts 2,854	999	—	—
1,000	1,000	1,000	1,000	1,000	1,000
4,484	6,888	3,283	8,804	11,180	3,844
233,668	191,214	173,894	188,179	198,292	192,754
16,240	11,126	9,820	14,659	19,046	15,913
217,428	180,088	164,074	173,520	179,246	176,841
261,347	223,504	221,271	228,255	240,028	227,490

descriptions which are considered to attach to the Outward Consignments to China from England and articles exported.

by the Act 24 Geo. 3, cap. 38, to calculate as part of the prices at which to put up their Teas to Sale, preceding Statement to the following sums; viz

£.	£.	£.	£.	£.	£
163,841	166,102	232,614	236,287	227,437	237,899
47,963	40,877	58,064	58,654	57,300	59,528

Canton, in November 1822 (£. 380,133), adverted to in the above Statement.

Honourable House.

Tho G. Lloyd,
Acc^t Gen^l

ACCOUNTS

RELATING TO

THE TEA TRADE,

&c.

OF THE EAST INDIA COMPANY:

1819—-1823.

Ordered, by The House of Commons, *to be Printed,*
14 *May* 1824.

308.

EAST INDIA COMPANY.

Copy of the PROCEEDINGS of the Court of Directors of the *East India* Company, relative to ABATEMENTS made from the Allowances to the Owners of certain Ships in the service of the said Company.

AT a Court of Directors, held on Wednesday the 3d December 1823;

A REPORT from the Committee of Shipping, dated this day, being read;—

Resolved,

THAT, it appearing, upon a comparison of an Estimate, prepared by the Company's Master Attendant, of the Cost and Outfit of a 1,200 ton Ship, calculated at the prices of November 1823, with a similar Estimate for 1816, that there is a Reduction in the prices of stores in the outfit of ships of this season; the following deductions be made, in conformity with the 3d clause of the Act 57th Geo. 3, c. 120, from the Allowances which were granted on the 6th January, 18th February, and 2d September 1818, to the Owners of the under-mentioned Ships: viz.

£. 1. 9. 1. per ton from the Castle Huntly, proceeding on her 6th voyage.
1. 9. 1. - - d° - - General Harris - - - d°.
1. 9. 1. - - d° - - Marquis Camden - - - d°
1. 9. 1. - - d° - - Lady Melville - - - d°

East India House,
the 11th February 1824.

J. Dart,
Sec^{y}.

476.

EAST INDIA COMPANY.

Copy of the PROCEEDINGS of the Court of Directors of the *East India* Company, relative to ABATEMENTS made from the Allowances to the Owners of certain Ships in the service of the said Company.

Ordered, by The House of Commons, *to be Printed*,
24 *June* 1824.

476.

MALACCA.

AN ACCOUNT of the ANNUAL REVENUE and PUBLIC EXPENDITURE of MALACCA, whilst in the possession of Great Britain, during the last War.

	ANNUAL REVENUE.	PUBLIC EXPENDITURE.
	£.	£.
1808–9 - - - - -	22, 003	24, 976
1809–10 - - - - -	20, 630	20, 360
1810–11 - - - - -	18, 206	19, 381
1811–12 - - - - -	20, 126	22, 281
1812–13 - - - - -	18, 427	22, 134
1813–14 - - - - -	18, 468	23, 392
1814–15 - - - - -	18, 152	22, 542
1815–16 - - - - -	15, 945	22, 790

Malacca came into possession of Great Britain in 1795, but the Accounts received from India do not state the Revenues and Charges in a manner sufficiently particular to afford the information required by The Honourable House of Commons, previous to the year 1808–9.

(Errors excepted.)

East India House,
18th June 1824.

James C. Melvill,
Asst. Dep^y Aud. of India Accounts.

MALACCA.

AN ACCOUNT of the Annual Revenue and Public Expenditure of MALACCA, whilst in the possession of Great Britain, during the last War.

Ordered, by The House of Commons, *to be Printed,*
24 *June* 1824.

479.

PAPERS

RELATING TO

EAST INDIA AFFAIRS:

VIZ.

REGULATIONS

PASSED BY THE GOVERNMENTS

OF

BENGAL AND FORT ST. GEORGE,

IN THE YEAR

1822.

(Presented in pursuance of Act 53 Geo. III. c 155, sec. 66.)

Ordered, by The House of Commons, *to be Printed,*
11 *March* 1824.

I.—BENGAL - - - - - - - - - pp. 5—49
II.—FORT ST. GEORGE - - - - - - pp. 50—69

REGULATIONS Passed by the Governments of India in the Year 1822:—Presented to the Honourable the House of Commons, in pursuance of an Act of Parliament of the 53 Geo. III. c. 155, sec. 66;—Viz.

I.—By the Governor General in Council of BENGAL, in the Year 1822;

Nº I. to XI.

Regulation.

I.—For amending Regulation XLIX. 1793, Regulation XXXII. 1803, and Regulation V. 1809:— Passed on the 18th January 1822 - - p. 5

II.—For modifying certain Provisions in the existing Regulations relative to the Officers employed in the collection of Government Customs and Town Duties.
Passed on the 19th March 1822 - - p. 6

III.—For modifying the constitution, and altering the jurisdiction of the several Boards vested with the superintendence of the Land Revenue, in the territories belonging to the Presidency of Fort William.— Passed on the 19th March 1822 - - p. 7

IV.—To provide for the more effectual administration of Criminal Justice in certain cases —
Passed on the 29th March 1822 - - p. 9

V.—For amending certain provisions of Regulation IX. 1808:—
Passed on the 13th June 1822 - - p. 10

VI.—To establish a Court of Wards for Benares, and to define and explain certain of the rules regarding the powers and jurisdiction of the several Courts of Wards.—
Passed on the 1st of August 1822 - - p. 11

VII.—For declaring the principles according to which the settlement of the Land Revenue in the ceded and conquered provinces, including Cuttack, Puttaspore and its dependencies, is to be hereafter made, and the powers and duties belonging to Collectors or other Officers employed in making, revising or superintending settlements; for continuing, with certain exceptions, the existing leases within the said provinces for a further term of five years, for defining, settling and recording the rights and obligations of various classes and persons possessing an interest in the land, or in the rent or produce thereof, and for vesting the Revenue authorities with judicial cognizance in certain cases of suits and claims relating to land, the rent and produce of land.—
Passed on the 8th August 1822 - - p. 12

VIII.—To declare that persons charged with crimes and misdemeanors must ordinarily be brought to trial at the foujdaree court or sessions of the district in which such crimes or misdemeanors may be perpetrated, and to vest the Governor General in Council and the Nizamut Adawlut with a discretionary power as to the place of trial:—
Passed on the 12th September 1822 - p. 29

IX.—To extend the rules of Regulation V. 1809, and of Section VI. Regulation I. 1822, to emigrants from foreign states, and other aliens settled in the British territories, or living and residing therein for a period of six months and upwards; also to provide for the execution, by Zillah and City Magistrates, of sentences passed by tribunals established by Government in countries not subject to the general Regulations.— Passed on the 19th September 1822 - p. 31

X.—For exempting the Garrow mountaineers, and other rude tribes on the north-eastern frontier of Rungpore, from the operation of the existing Regulations, and for establishing a special system of Government for the tract of country occupied by them, or bordering on their possessions:— Passed on the 19th September 1822 - p. 32

XI.—For modifying and explaining the existing Regulations relative to the sale of land for the recovery of arrears of Revenue; for declaring Government not to be liable for any errors or irregularities in the proceedings of the courts of justice; and for making further provision for the conduct of the Revenue Officers in certain cases:—
Passed on the 22d November 1822 - p. 35

II.—By the Governor in Council of FORT ST. GEORGE, in the Year 1822;

N° I. to IX.

Regulation.

I.—For the more exemplary punishment of robbery by open violence.—
Passed on the 5th March 1822 - - p. 50

II.—To provide for the more effectual administration of Criminal Justice in certain cases; and to alter certain provisions of the Regulations now in force:—
Passed on the 2d April 1822 - - - p. 51

III.—For extending the operation of Regulation VII. of 1818:—
Passed on the 28th May 1822 - - p. 53

IV.—Declaring the true intent and meaning of Regulations XXV. XXVIII. and XXX. of 1802, so far as they relate to the rights of the actual cultivators of the soil:—
Passed on the 12th July 1822 - - - p. 54

V.—For vesting in Collectors, authority to take primary cognizance, in certain cases, of suits cognizable summarily by the Zillah Courts, under Regulation XXVIII. and XXX. of 1802, and otherwise modifying the provisions of those Regulations; for rescinding Regulation XXXII. of 1802; and for vesting in Collectors, the summary cognizance of cases which under that enactment were cognizable by the Zillah Courts; and for authorizing Collectors to refer all such suits to Punchayets for decision; and for extending the provisions of Regulation XII. of 1816.—
Passed on the 19th July 1822 - - p. 54

VI.—For extending the powers of the Criminal Judges and of the Courts of Circuit in the trial of persons charged with breaking into houses and other places of habitation, or into warehouses or other places used for the custody of property, with an intent to steal; or charged with theft, or with buying or receiving stolen property knowing the same to have been stolen; or charged with escape from jail or other place of confinement:—
Passed on the 19th July 1822 - - p. 58

VII.—For rescinding Regulation I. of 1809, and Regulation V. of 1811, and for declaring that the appointment and removal of the native public servants of Government shall be regulated by such orders as the Governor in Council may from time to time see fit to issue.—
Passed on the 12th July 1822 - - p. 62

VIII.—To rescind Regulations III. of 1809; II. of 1810; and VI. of 1818; and to make provision for the investigation of the conduct of the Public Officers of Government, European or Native, when necessary, in the way which in each particular case may be deemed most convenient:— Passed on the 6th December 1822 - - p. 62

IX.—For empowering Collectors to take primary cognizance of cases of malversation in revenue affairs; for prescribing the rules to be observed in such investigations, and in the recovery of money embezzled or corruptly received by public servants and others amenable to the Collectors jurisdiction; for providing for the admission and trial of appeals from the summary decisions of Collectors in such cases; for declaring the powers of Criminal Judges and Courts of Circuit in the punishment of the offences specified in this Regulation; and for rescinding Regulation XXXIII. of 1802.— Passed on the 20th December 1822 - - p. 63

No Regulations have been received from the Governor in Council of BOMBAY, of the Year 1822.

I.

REGULATIONS

Passed by the Governor General in Council of *Bengal*, in the Year 1822. N° I. to XI.

A. D. 1822. REGULATION I.

A REGULATION for amending Regulation XLIX. 1793, Regulation XXXII. 1803, and Regulation V. 1809:—Passed by the Governor General in Council on the 18th January 1822; corresponding with the 6th Maug 1228 Bengal era; the 11th Maug 1229 Fussly; the 7th Maug 1229 Willaity; the 11th Maug 1878 Sumbut; and the 23d Rubee-us-Sanee 1237 Higeree.

WHEREAS it has been deemed advisable that persons engaged in affrays, and native subjects of the British Government, committing criminal offences in places out of the limits of the British provinces, should in cases of minor importance, and of an unaggravated nature, be declared punishable by the magistrates, without commitment to the Courts of Circuit; and whereas Regulation XLIX. 1793, Regulation XXXII. 1803, and Regulation V. 1809, have been held to place the punishment of such offenders beyond the competence of the magistrates, and to render their commitment for trial to the Courts of Circuit indispensable; the following rules have been enacted, to be in force throughout the British territories immediately subject to the Government of the Presidency of Fort William, from the date of their promulgation.

Preamble.

II. Regulation XLIX. 1793, Regulation XXXII. 1803, and Regulation V. 1809, are hereby amended.

Regulations amended.

III. All persons charged with being concerned in affrays as defined in Regulation XLIX. 1793, and Regulation XXXII. 1803, shall, upon due proof of the offence, provided the affrays be unattended with homicide, severe wounding, or other aggravating circumstance, be punishable by the magistrate or joint magistrate of the district in which the affray may have occurred, without commitment to the Court of Circuit.

Affrays puniſhable by the Magiſtrate under certain reſtrictions.

IV. In awarding punishment in such cases, the magistrate or joint magistrate shall not exceed the powers vested in him by Section XIX. Regulation IX. 1807; nor shall it in any case of affray be competent to a magistrate or joint magistrate to award corporal punishment; nor shall a magistrate refer any such case for examination and decision to his assistant, unless such assistant shall be invested with the special powers designated in Section II, Regulation III. 1821.

Rules for awarding puniſhment in ſuch caſes.

Not referrible to aſſiſtants.

V. In all cases of affray attended with homicide, severe wounding, or other aggravating circumstance, the magistrate or joint magistrate shall, as heretofore, bring the offenders to trial before the Court of Circuit, committing them to prison, or enlarging them upon bail, as the circumstances of each case may appear to require.

All caſes of affray not puniſhable by Magiſtrate, to be diſpoſed of as heretofore.

VI. All native subjects of the British Government, as specified in Regulation VIII. 1813, who may commit a crime or a misdemeanor in places out of the limits of the British provinces, shall, after the receipt of the sanction of the Governor General in Council, required by Regulation V. 1809, be tried and punished or acquitted

Magiſtrates veſted with power to proceed in all offences committed by Native ſubjects of Government out of the limits of the Britiſh provinces, in the ſame manner as in ſimilar offences committed within thoſe limits.

acquitted by the magistrate or joint magistrate, or be committed for trial before the Court of Circuit, according to the nature and circumstances of the offence, in the same manner as if the offence had been committed within the limits of the British territories.

A. D. 1822. REGULATION II.

A REGULATION for modifying certain provisions in the existing Regulations relative to the Officers employed in the collection of the Government Customs and Town Duties:—Passed by the Governor General in Council on the 19th of March 1822, corresponding with the 7th Chyte 1228 Bengal era; the 12th Chyte 1229 Fusly; the 8th Chyte 1229 Willaity; the 11th Chyte 1878 Sumbut; and the 24th Jumadee-us-Sanee 1237 Higeree.

Preamble.

WHEREAS it has appeared expedient to place the sea and land departments of the Calcutta customs under two distinct officers, to be denominated, the one, collector of sea customs, the other, collector of inland customs: And whereas it is expedient that the Governor General in Council should exercise the power of appointing, by an order in council, such officer or officers as he may deem fit to exercise the whole or any part of the duties and authority vested by the existing Regulations in collectors of customs and their deputies, the following rules have been enacted, to be in force from the date of their promulgation.

Parts of Regulations IX. and X. of 1810, and other Regulations, impoſing reſtrictions on the appointment of Officers for the collection of Government Cuſtoms and Town duties, reſcinded.

II. *First.*—So much of Section VI. Regulation IX. of 1810, Sections IV. and XXVI., Regulation X. of 1810, as prescribes the appointment of the officers therein mentioned, to exercise the duties vested by those Regulations in collectors of customs and town duties, together with all other provisions of the existing Regulations, which restrict or can be construed to restrict the Governor General in Council in the appointment of officers to the exercise and performance of the said powers and duties, are hereby rescinded.

Power reſerved to the Governor General in Council to appoint any number of officers, being covenanted ſervants, to collect the duties of Government Cuſtoms and Town duties, and they to have the full power now exerciſed by Collectors or deputy Collectors.

Second.—It shall and may be competent to the Governor General in Council, by an order in Council, to appoint such and as many officers, being covenanted servants of the Honourable Company, as he may from time to time deem proper, to collect the duties of government customs and town duties, or such items thereof as the said Governor General in Council may deem proper, and the officers so appointed shall possess and exercise in regard to the duties, the collection of which may be intrusted to them, and to all persons and things chargeable with or liable to the said duties, as well as in respect to all forfeitures, defaults, suits, investigations and processes relating to such duties, or the collection thereof, or to the subordinate officers employed in the collection or custody of the said duties, or the articles chargeable therewith, all such powers and authorities as may or shall be legally exercised by collectors, or deputy collectors, under the Regulations which are now in force, or which may be hereafter enacted, subject to the same rules and provisions as may or shall apply to the collectors and deputy collectors aforesaid.

The Governor General in Council may veſt any covenanted ſervant with part of the powers and authority now exerciſed by the Collectors of Cuſtoms and Town duties.

Third.—It shall likewise be competent to the Governor General in Council, by an order in Council, to vest any officer or officers, being covenanted servants of the Company, whether employed in collecting the customs and town duties or not, with such part of the powers and authority usually possessed and exercised by collectors of customs and town duties, as he may from time to time judge to be proper.

The Governor General in Council alone ſhall be competent to paſs orders in regard to the diſpoſal of the proceeds of goods confiſcated, or of the fines or penalties incurred by a breach of the Cuſtom Regulations.

Fourth.—It shall also be competent to the Governor General in Council to pass such orders as may from time to time appear proper, in regard to the disposal of that part of the proceeds of goods confiscated, or of the fines or penalties incurred by a breach of the custom regulations, which under the provisions of the existing regulations is assigned to the collectors of customs, or other covenanted servants of the East India Company.

A. D. 1822. REGULATION III.

A REGULATION for modifying the constitution, and altering the jurisdiction of the several Boards vested with the superintendence of the Land Revenue, in the territories belonging to the Presidency of Fort William:—Passed by the Governor General in Council on the 19th March, 1822, corresponding with the 7th Choite 1228 Bengal era, the 12th Choite 1229 Fussily; the 8th Choite 1229 Willaity; the 11th Choite 1878 Sumbut; and the 24th Jamudu Sany 1237 Higeree.

Preamble.

WHEREAS the superintendence of the Dehlee territory has recently been vested in the Board of Commissioners for the ceded and conquered provinces, and for this and other causes it has become necessary to relieve the said Board from the charge of a portion of the districts now under their control: And whereas it is also desirable to modify the constitution and alter the jurisdiction of the several Boards intrusted with the management of the land revenue, the following rules have been enacted, to be in force from the date of their promulgation.

Proviſions of Regulations reſcinded.

II. *First.*—Sections XXVIII, XXIX, XXXIV, XXXV, XLIX, L, LI, LII, LIII, LIV, LV, LVI, LVII, LVIII, LIX, LX, LXI, LXII, LXIII, LXIV, LXV, LXVI, LXVII, LXVIII, LXIX, and LXX, Regulation II, 1793, Section XXVI, Regulation V, 1795, and Section XXVII, Regulation XXV, 1803, are hereby rescinded.

Further proviſions reſcinded.

Second.—Regulation I, 1816, Regulation I, 1817, and Sections II. and III, Regulation XXIV, 1817, are hereby rescinded.

Bhaugulpore and Purneah transferred from the juriſdiction of the Board of Commiſſioners for Behar and Benares to the Board of Revenue, which is to be called the Board of Revenue for the Lower Provinces.

III. *First.*—The duties, powers, and authority at present exercised by the Board of Commissioners in Behar and Benares, within the districts of Bhaugulpore and Purneah, shall from and after the 1st of May next be vested in the Board of Revenue, which shall continue to possess, exercise, and perform the duties, powers, and authority now belonging to them in the districts subordinate to their authority, and shall hereafter be denominated the Board of Revenue for the Lower Provinces.

The north and ſouth diviſions of Bundlecund, with Zillahs Allahabad & Cawnpore, transferred from the Board of Commiſſioners in the ceded and conquered provinces to the Board of Commiſſioners for Behar and Benares, which is to be called the Board of Revenue for the Central Provinces.

Second.—The duties, powers, and authority at present exercised by the Board of Commissioners in the ceded and conquered provinces within the southern and northern divisions of Bundlecund, and the districts of Allahabad and Cawnpore, shall from and after the said date be vested in the Board of Commissiones in Behar and Benares, which shall continue to possess, exercise, and perform the duties, powers, and authority now belonging to them in the districts at present subordinate to them, save as above provided, and shall be hereafter denominated the Board of Revenue for the Central Provinces.

The remaining diſtricts of the ceded and conquered Provinces to continue as heretofore, ſubordinate to the Board of Commiſſioners, which Board is to be denominated "The Board of Revenue for the Weſtern Provinces."

Third.—The several districts of the ceded and conquered provinces, with the exception of the districts above specified, shall continue as heretofore, subordinate to the Board of Commissioners, which Board shall hereafter be denominated the Board of Revenue for the Western Provinces.

Power reſerved to the Governor General in Council in appointing Members to the Boards.

IV. *First.*—The said Boards shall each of them consist of such number of members as the Governor General in Council may from time to time appoint.

Sittings of the Boards ordinarily to be daily.

Second.—The said Boards shall ordinarily sit daily (Sundays and holidays excepted) for the transaction of public business.

Boards to be guided in regard to the form of their proceedings, in caſes where no ſpecial Regulations exiſt, by the orders of Government.

Power reſerved to the Governor General in Council in fixing the ſudder ſtations of the Boards.

Third.—In regard to the form of their proceedings, they shall be guided in all cases, not specifically provided for in the existing Regulations, by such orders as the Governor General in Council may from time to time issue, and it shall be competent to the Governor General in Council to fix the sudder stations of the several Boards at such places within the territories belonging to this Presidency, whether the operation of the general code of regulations may or may not extend to the same, as from time to time may be deemed expedient,—any thing in the existing regulations to the contrary notwithstanding.

Governor General in Council declared competent to authorize when neceſſary a ſingle Member of any Board to exerciſe all the duties veſted in the Board collectively.

And to authorize the ſeveral Members ſeparately to exerciſe at the ſame time ſuch part of the duties as may appear requiſite for the greater diſpatch of buſineſs or other cauſe.

Proviſo—no ſingle Member to reverſe or alter a Collector's order.

Except authorized by Government, nor to reverſe or alter a decree or order paſſed by any other Member.

No ſettlements whether temporary or perpetual to be binding, unleſs confirmed by the Governor General in Council.

V. *First.*—It shall be competent to the Governor General in Council, by an order in Council, to authorize a single member of any of the said Boards to exercise, either generally or locally, all the duties, powers and authority which are vested in the Board collectively, whenever circumstances may render such an arrangement desirable. It shall further be competent to the Governor General in Council similarly to authorize the several members of the said Board, separately to exercise at the same time, and within the same limits, such part of the said duties, powers and authority, as it may from time to time be judged proper to assign to each respectively, whenever for the greater dispatch of business, or other cause, it may appear advisable to divide the business of the Board, or to assign any special duty to any member separately: provided, however, that if a member exercising singly, as above, the duties, powers and authority of the Board, or any part thereof, shall in any case be of opinion that any decision or order of a collector ought to be reversed or altered, he shall not pass any final order on the case without the concurrence of one or more of the other members, unless otherwise specially directed and authorized by Government; provided further, that it shall not be competent to a single member of a Board to reverse or alter a decree or order passed by any other member; provided also, that no settlement of the land revenue, whether in perpetuity, or for a term of years, shall be or be held final and binding upon Government, unless the same shall have been formally confirmed by the Governor General in Council.

Rule defining the courſe of proceeding in caſes where a difference of opinion may ariſe.

Second.—Whenever two members of a Board shall jointly or separately have considered any question, if a difference of opinion shall arise between them, the decision of the question shall be postponed, and the case shall be referred to a third member, permanent or provisional, in such mode as may from time to time be directed by Government, and shall be determined according to the majority of voices.

A ſingle member, when veſted with ſeparate authority, declared competent to proceed in the ſame mode as the Board collectively are authorized in regard to the appointment, removal, or puniſhment of Collector's native officers.

Proviſo in caſes where a difference of opinion may ariſe.

Third.—In regard to the appointment, removal, or punishment of the native officers of collectors of land revenue, or other functionaries subordinate to the Boards, a single member vested as above with authority separately to exercise the powers of the Board, or any part thereof, shall, within the limits of his authority, be competent to proceed in the same manner as the Board collectively are authorized to proceed: Provided that in any such case, if a member of the Board acting singly shall differ in opinion from a collector or other functionary immediately subordinate to them, he shall not, unless otherwise specially authorized by Government, pass any final order without the concurrence of one or more members of the Board.

Two members neceſſary to appoint, remove, or puniſh officers of the Board, unleſs authorized by Government.

Fourth.—No final orders regarding the appointment, removal, or punishment of officers belonging or immediately subordinate to the Board, shall (unless otherwise specially directed by the Governor General in Council) be issued without the concurrent judgment of two or more members.

Single members, when veſted with ſeparate authority, declared competent to ſuſpend any officer.

But the order for ſuch ſuſpenſion, unleſs in ſpecial caſes, to be reported to ſome other member of the Board, who if a majority agree, may ſet it aſide.

Fifth.—Single members exercising separate authority as above shall be competent to suspend any officer under their authority, in like manner as the Board collectively may do; but all orders regarding the suspension of any such officer, passed by a single member, unless in confirmation of an order or recommendation of a collector, or other intermediate authority, or unless specially authorized by the Governor General in Council, shall be reported without loss of time to some other member, and shall be liable to be set aside by the decision of a majority of the Board.

Board when applied to may reviſe, reſcind and alter their deciſions, provided that ſuch applications be made within three months, or ſufficient cauſe ſhown for delay.

Orders or deciſions paſſed by a ſingle member when veſted with ſeparate authority, not to be reverſed or altered unleſs two or more members concur.

Sixth.—The Boards are authorized to review, rescind, alter or confirm, any order and decision passed by them collectively, or by any members exercising, as above, separate authority, if an application to that effect be made to them by any party interested in the case, within the period of three months from the date on which the order or decision may have been passed, or good and sufficient cause shown for a further delay, and if from the documents exhibited, the case shall appear to merit further investigation. But no order or decision passed by a single member exercising separate authority shall be reversed, altered or staid, excepting on the concurrent judgment of two or more members.

Proviſions in caſes when the members of the Board differ

Seventh.—To provide for cases wherein the members of the Board shall not agree in opinion, as to the decision or order to be passed in any case, and wherein the voices on each side may be equal, it shall be competent to the Governor General in Council to appoint one or more temporary or provisional members, who shall, in regard to the investigation and determination of the questions so in dispute, have and exercise the same powers and authority as if they ordinarily belonged to the Board; and if a difference of opinion as aforesaid shall arise between two members of the Board holding joint sittings, at any place where a temporary or provisional member may be stationed, the other permanent member or members of the Board being absent, it shall and may be lawful for them, without reference to such absent member, to submit the question in dispute to the provisional member, and to issue orders in conformity with the opinion which he may support.

in opinion and the voices on each ſide are equal

A. D. 1822. REGULATION IV.

A REGULATION to provide for the more effectual administration of Criminal Justice in certain cases:—Passed by the Governor General in Council on the 29th March 1822, corresponding with the 17th Choite 1228 Bengal era, the 22d Choite 1229 Fussily; the 18th Choite 1229 Willaity; the 7th Choite 1879 Sumbut; and the 4th Rajeeb 1237 Higeree.

THE Regulations in force containing no provision for enabling the Judges of the Nizamut Adawlut to acquit a prisoner, notwithstanding his conviction by the futwa of their law officers, and certain distinctions of the Mahomedan law, evidently repugnant to the principles of equal justice, not having been hitherto rectified by any special enactment, the following rules are accordingly enacted, to provide for the cases referred to.

Preamble

II. Whenever two or more Judges of the Nizamut Adawlut, on a deliberate consideration of any futwa of their law-officers, convicting a prisoner, may consider such prisoner to have been convicted on insufficient or unsatisfactory evidence, it shall be competent to the said Judges to acquit the prisoner.

Power veſted in two or more judges of the Nizamut Adawlut to paſs ſentence of acquittal, notwithſtanding a futwa of conviction by the law officers of that court

III. In all cases of murder, mutilation, or severe personal injury, in which the heir of the slain, or the person injured, may refuse to prosecute, the law officers of the Nizamut Adawlut shall be called on to declare what the futwa would have been in the event of their having prosecuted; and the Judge or Judges sitting on such trial shall pass sentence under the general Regulations, and on a consideration of all the circumstances of the case, the same as if the parties had come forward to prosecute.

How the judges are to proceed, in caſes when the heir of a ſlain or injured perſon may refuſe to proſecute

IV. The circumstance of supervening insanity, subsequent to the perpetration of a crime, at a time when no degree of derangement existed, and prior to the conviction of the prisoner for such crime, having been declared by the law officers, in a case of murder, to bar all capital or discretionary punishment, and to subject such person to Deyut only in all such cases, viz. of a prisoner being afflicted with insanity subsequent to the commission of any crime, and of his subsequent perfect recovery, the law officers of the Nizamut Adawlut shall be called on to declare, what the futwa would have been, if such derangement had not intervened, and the Judge or Judges sitting on the trial shall pass sentence under the general Regulations, and on consideration of all the circumstances of the case, the same as if no such malady had happened to the prisoner.

How the judges are to proceed, in the caſe of a priſoner who, ſubſequent to the perpetration of a crime and prior to conviction, may exhibit ſymptoms of derangement.

V. It having been found, that, in certain cases of murder, the justificatory plea, that the person murdered was the mistress or relation of the prisoner, and detected in criminal intercourse with another man, or that the murdered man was found in criminal intercourse with the prisoner's mistress or relation, or, generally speaking, detected in fornication, has been upheld by the law officers in bar of capital or discretionary punishment, and has been declared to subject such prisoner to Deyut only, it is hereby enacted, that the law officers of the Nizamut Adawlut shall be called on to declare in such cases what the futwa would have been if such plea had not existed, and the Judge or Judges sitting on the trial shall pass sentence under the general Regulations, and on consideration of all the circumstances of the case, the same as if no such plea had existed.

Judges how to proceed in caſes when circumſtances occur which the law officers conſider juſtificatory, and plead them in lieu of capital or diſcretionary puniſhment

VI. In many cases of corporal injury, extending even to Mayhem, it has been found that the law officers, on the full conviction of the prisoners, declare them liable

Courts of Circuit and Nizamut Adawlut how to proceed, In caſes when priſoners for certain offences are declared by the law officers liable to Hukoomuti Adul only.

to Hukoomuti Adul only, or a just award, which is construed by them to mean, payment by the prisoner of the expences incurred for medicines and medical attendance by the party injured; and such reparation being considered wholly inadequate, it is hereby enacted, that the Judges of Circuit shall, under such futwa, be competent to pass sentence of imprisonment for any period not exceeding seven years, with power to refer the record to the Nizamut Adawlut, in any case in which they may deem that degree of punishment inadequate; and on the receipt thereof the Nizamut Adawlut, after requiring a further futwa from their law officers, shall pass sentence of imprisonment for such limited period of time, as under all the circumstances of the case may be equitable and just.

The proviſions contained in Section IV, Regulation XVII, extended to caſes in which a futwa of the law officers may declare the legal puniſhment barred by doubts of the priſoner's ſanity when he committed the act charged

Proviſo.

VII. It is hereby declared, that the rule contained in Section IV. Regulation XVII. 1817, empowered two or more Judges of the Nizamut Adawlut to convict and punish a prisoner charged with a criminal offence, in opposition to the acquittal of their law officers, shall be considered to extend to any case in which the futwa of the law officers of the Nizamut Adawlut may declare the legal penalty, or punishment generally, barred by reason of a doubt as to the prisoner's sanity when he committed the act charged; provided two or more Judges of the Nizamut Adawlut, on due consideration of the evidence in such case, shall be satisfied that there is no sufficient ground to believe that the prisoner was insane when he committed the act so charged, and that he is a proper object of punishment.

A.D. 1822. REGULATION V.

A REGULATION for amending certain provisions of Regulation IX. 1808. Passed by the Governor General in Council on the 13th June, 1822; corresponding with the 32d Jeyte 1229 Bengal era; the 9th Jeyte 1229 Fussily; the 1st Assar 1229 Willaity; the 9th Jeyte 1879 Sambut; and the 22d Ramzan 1237 Higeree.

Preamble.

THE rules of Regulation IX. of 1808, provide, with respect to any person proclaimed under the third Section on a charge of Dekoity, that if such person do not surrender himself, or appear before the local magistrate, within the period limited in the proclamation, he shall, on the fact of contumacy being established, be presumed guilty of the crime (dekoity,) with which he is charged, and in consequence be liable to a sentence of imprisonment and transportation for life.—The rules of the Regulation in question require expressly that the individual should be brought to trial on the charge of contumacy, and they further recite and declare, that he may be also brought to trial for any specific offence other than that for which he was proclaimed. It however has been found that in some instances in which the proclamation has been resorted to against persons charged with dekoity, such persons, by having been adjudged guilty of the contumacy, and sentenced to the extent authorized by Regulation IX. 1808, viz. transportation for life, have thereby escaped a capital sentence, which was apparently called for by reason of the dekoity they were presumed to have been concerned in having been attended with murder. It has accordingly been deemed advisable to declare that any person proclaimed for dekoity under the provisions of Regulation IX. 1808, may be brought to trial for the crime for which he was proclaimed, and not for the contumacy, if it shall appear advisable so to proceed against him.—The following Rules have been accordingly enacted, to be in force from the date of their promulgation.

Parts of Regulation IX. 1808, modified.

II. *First.*—Sections III. VI. VII. VIII. and X. of Regulation IX. 1808, are hereby modified as follows.

Proclaimed perſons declared liable to be tried on the original charge, as well as for contumacy in not ſurrendering on proclamation.

Second.—It is hereby declared, that, in the case of any individual proclaimed under the provisions of Regulation IX. 1808, the fact of his being guilty of contumacy in not appearing within the period limited in the proclamation, shall not prevent his being brought to trial on the charge which led to the proclamation, and being proceeded against on such a charge according to the Mahomedan law and regulations, if it shall appear advisable that he be brought to trial on such charge, and not for his contumacy in not appearing to answer to it.

Option veſted in the Superintendent of Police in ſuch caſes.

III. It shall rest with the Superintendent of Police, on communication from the Magistrate, to decide on which of the two charges, viz. the contumacy, or the original offence, a proclaimed person shall be brought to trial.

IV. If a proclaimed person shall have been brought to trial for the contumacy, and acquitted on that charge, there shall, in the case of such acquittal, be no bar to his being brought to trial *de novo* for the offence on account of which he was proclaimed; but in the case of such person being brought to trial for the offence on account of which he was proclaimed, and acquitted on that charge, he shall not be liable to any trial *de novo* for the contumacy.

Proclaimed perſons when tried for contumacy and acquitted, declared liable to be tried *de novo* on the original charge, but not *vice verſâ*.

A. D. 1822. REGULATION VI.

A REGULATION to establish a Court of Wards for Benares, and to define and explain certain of the Rules regarding the powers and jurisdiction of the several Courts of Wards.—Passed on the 1st of August 1822; corresponding with the 18th Sawun 1229 Bengal Era; the 28th Sawun 1229 Fussily; the 19th Sawun 1229 Willaity; the 14th Sawun 1879 Sumbut; and the 12th Zekaad 1237 Higeree.

Preamble

THE rules for constituting and for fixing the jurisdiction of the Court of Wards contained in Regulation X. 1793, extended to the ceded and conquered provinces by Regulation LII. 1803, and Section XXIX. Regulation VIII. 1805, and to Cuttack by Section XXXVI. Regulation XII. 1805, have never been extended to the province of Benares, though such extension was obviously intended, and is distinctly alluded to in Clause the Seventh, Section VII. Regulation V. 1795. Moreover the original rules for the management of the estates of minors, and other disqualified persons over which the Court of Wards have jurisdiction, provide only for the appointment of a manager, from amongst the relations, connections or principal servants of the minor's family, to collect the rents and otherwise manage the estate under the general authority of the Court of Wards. This system of management was early abandoned in the case of the less valuable estates, where the expense incident to the system was found to consume the profits, and the Court of Wards were authorized in such cases to adopt, at their discretion, any mode of management they might judge fit. Subsequently the managers were declared to be merely ministerial officers of the collector, by whom they were directed to be chosen, under the instructions if the Board of Revenue, without any regard to their connection with the proprietors. The revenue authorities were thus virtually vested with full powers of managing ward estates as might appear best, and the Court of Wards finding the charges of mofussil management by the said officers to be generally inordinate, obtained the authority and instructions of Government to substitute the system of farming in all ordinary cases. This system, which was adopted and pursued with a view to the interests of the minors, has now prevailed for a period of eighteen years. Nevertheless, the terms in which the discretion of dispensing with a manager is vested in the Court by legislative enactment have led to doubts of the legality of the practice of farming, as applied to extensive or profitable estates; it has accordingly been deemed necessary to declare by a specific enactment the competency of the Court of Wards to exercise generally a discretion in regard to the management of estates under their charge, and further to declare the legality of farms heretofore made under their authority. It is moreover expedient to enable the Courts of Wards to refrain from interfering with the estates of minors or other disqualified proprietors, in cases wherein they deem their interposition unnecessary or inexpedient; the following rules have accordingly been enacted, to be in force as provided therein, from the date of their promulgation.

II. Regulation LII. 1803, with the addition contained in Section XXIX. Regulation VIII. 1805, is hereby extended to the province of Benares, and the Board of Revenue for the central provinces is constituted a Court of Wards for that province, under the above rules, as hereinafter modified and explained.

Regulation LII, 1803, and part of Regulation VIII, 1805, extended to Benares, and the Board of Revenue for the central provinces conſtituted a Court of Wards for that province.

III. *First.*—The several Courts of Wards established within the territories subject to the presidency of Fort William, are hereby declared competent to farm estates falling under their jurisdiction for a term not exceeding ten years, or to adopt such other form of management, not involving an assignment of the minor's interests, for a period exceeding the above, as may in their discretion seem most expedient; any thing in the existing Regulations to the contrary notwithstanding.

The ſeveral Courts of Wards veſted with a diſcretionary power to farm eſtates for ten years, or to adopt any other plan of management not involving a longer aſſignment.

Farms of lands heretofore made under orders from the Court of Wards declared legal and valid, and to be ſo conſidered by the ſeveral courts of juſtice.

It is hereby further declared and provided, that all farms heretofore made by or in pursuance of orders from the Courts of Wards, whether under the special authority of the Governor General in Council, or under the Court's own construction of its general powers, shall to all intents and purposes be held and considered to be legal and valid, and no exception shall be taken or allowed by any court of justice against such farms, on the ground of there having hitherto been no rule in any Regulation published according to the provisions of Regulation XLI. 1793, specifically authorizing the practice.

Farmers, &c. holding lands under the Court of Wards, declared ſubject to the ſame rules as are applicable to perſons in poſſeſſion of ſimilar tenures under the collectors of Revenue.

Second.—Farmers and others holding under the revenue authorities in their capacity of Courts of Wards, shall be subject to the same rules and regulations as are applicable to other persons holding similar tenures and interests under collectors of the land revenue.

Courts of Wards authorized to refrain from interfering with eſtates in caſes when their interference may appear unneceſſary.

Proviſo, againſt the ſale of a minor's eſtate for arrears.

Revenue officers, may farm in ſuch caſe, and Court of Wards competent to aſſume charge at any time during minority.

IV. The several Courts of Wards are hereby vested with a discretion to refrain from interfering with the estates of minors, or other disqualified proprietors, in cases wherein they may deem their interposition unnecessary or inexpedient; provided, however, that no estate, the sole property of a minor, and descended to him by the regular course of inheritance, shall, during his minority, be sold for arrears of revenue accruing subsequently to his accession to the same : but the revenue authorities shall, on an arrear so accruing, be authorized to farm the estate for a period not exceeding ten years, and it will of course be competent to the Courts of Wards to assume charge of such estates at any time during the minority of the proprietor, notwithstanding they may have originally refrained from interfering.

A. D. 1822. REGULATION VII.

A REGULATION for declaring the Principles according to which the settlement of the Land Revenue in the ceded and conquered Provinces, including Cuttack, Puttaspore and its dependencies, is to be hereafter made, and the powers and duties belonging to Collectors or other Officers employed in making, revising or superintending settlements; for continuing, with certain exceptions, the existing leases within the said Provinces for a further term of five years; for defining, settling and recording the rights and obligations of various classes and persons possessing an interest in the land, or in the rent or produce thereof; and for vesting the Revenue Authorities with judicial cognizance in certain cases of suits and claims relating to land, the rent and produce of land :—Passed by the Governor General in Council on the 8th August 1822, corresponding with the 25th Sawun 1229 Bengal Era; the 5th Sawun 1229 Fussily; the 26th Sawun 1229 Willaity; the 6th Sawun 1879 Sumbut; and the 19th Zekaad 1237 Higera.

Preamble.

WHEREAS the existing settlement of the land revenue in the ceded provinces will expire with the present Fuslee year, and it has therefore become necessary to declare and enact the principles and rules according to which the demand of the state is thereafter to be regulated, and the manner in which future settlements and revisions of settlements are to be conducted; and whereas a moderate assessment being equally conducive to the true interests of Government and to the well being of its subjects, it is the wish and intention of Government, that in revising the existing settlement, the efforts of the revenue officers should be chiefly directed, not to any general and extensive enhancement of the jumma, but to the objects of equalizing the public burthens, and of ascertaining, settling and recording the rights, interests, privileges and properties of all persons and classes owning, occupying, managing or cultivating the land, or gathering or disposing of its produce, or collecting or appropriating the rent or revenue payable on account of land, or the produce of land, or paying or receiving any cesses, contributions or perquisites to or from any persons resident in, or owning, occupying or holding parcel of any village or mehal; and whereas, with these views and intentions, the Governor General in Council has considered it to be expedient and proper, with the exception hereinafter specified, to continue the existing assessment in all cases in which the settlement has been formed with zemindars or other persons acknowledged as proprietors or possessors of a permanent interest in the mehal for which they may have engaged, until a new settlement can be made, combining, with the revision of the Government jumma, and the deliberate investigation of the facts, by the determination of which its amount must be regulated, a full inquiry into, and a careful settlement of, the rights and interests of all classes connected with the land: And whereas the same principles are applicable to the district of Cuttack, the pergunnah of Puttaspore and its dependencies, of which the settlement will expire with the present Umlee year: And whereas it has appeared expedient to make special provision for the early settlement of the district of Goruckpore, the Chucla of Azimgurh, the Pergunnah of Puttaspore and its dependencies; And whereas it is also advisable to provide for the revision of the settlement of the Conquered Provinces and of the province of Bundlecund, pending the continuance of the existing leases: And whereas it is the desire of Government that the proceedings held, and the records formed by the collectors, when making settlements, or otherwise specially employed in conducting inquiries of the above nature, should be such as that all demands, claims, and suits, may be adjudged and determined according to the facts therein stated, until the same shall have been formally altered, or it shall be shown by the result of a full investigation in a regular suit, that the proceeding or record of the collector was erroneous or incomplete: And whereas it is necessary to declare and define the powers and authority to be vested in collectors in the conduct of the said inquiries, and the adjustment of the differences arising out of or made known by them: And whereas it further appears advisable that the revenue officers should in certain cases be vested with authority judicially to receive, hear, investigate and determine suits, claims and demands of the above description: And whereas it appears to be expedient to declare and explain the views and intentions of Government relative to the rights to be enjoyed and exercised by the sudder malgoozars, or persons admitted to engage for the payment of the Government revenue, and by persons collecting the rents of the land or revenue of Government, without being subject to the payment of any portion of it to the public treasury, such as Jagheerdars, and other owners or managers of lakheraj lands; and it is particularly necessary in the case of estates held in Putteedaree or Byachara tenure to make further provision for protecting the sharers who have not been admitted to engagements with Government against the encroachments of the sudder malgoozar, and likewise to secure the latter against the consequences of the embezzlement or misappropriation by the former, of the funds whence the Government revenue ought to be discharged;

For the purposes and objects above specified the following rules have been enacted, to be in force from the date of their promulgation, throughout the Ceded and Conquered Provinces, in the district of Cuttack, the Pergunnah of Puttaspore, and its dependencies:

The exiſting ſettlement in the ceded provinces to be extended in certain caſes for a further period of five years.

II. *First.*—The existing settlement of the land revenue in the Ceded Provinces, with the exception hereinafter specified, shall in all cases in which it may have been concluded with zemindars, or persons acknowledged as the proprietors or possessors of a permanent interest in the mehal for which they have engaged, continue in force until the expiration of the year 1234 Fuslee, subject to the following provisions:

So alſo the ſettlement in Cuttack.

Second.—In like manner, and subject to the same provisions, the existing settlement of the land revenue in the district of Cuttack shall, in all cases wherein it may have been concluded with persons of the above description, continue in force until the expiration of the year 1234 Umlee.

Proclamations iſſued by the Revenue Boards and Comſioners, notifying the propoſed extenſion of the ſettlement, ſanctioned and confirmed.

Zemindars failing to notify their intention to relinquiſh their lands under the ſaid proclamations, ſhall be held reſponſible for the payment of the preſent jumma, during the enſuing five years.

Third.—The Board of Commissioners in the Ceded and Conquered Provinces, and the Commissioner in Cuttack, having, under instructions from the Governor General in Council, caused proclamations to be issued in the several districts under their authority, declaring the resolution of Government to extend the existing leases as above, and requiring all zemindars and other persons aforesaid, who might be unwilling to continue their engagements for a further period of five years, to notify the same to the collector of the zillah, the said proclamations are hereby sanctioned and confirmed; and all zemindars, and other persons aforesaid, who shall not have made a notification to the effect and within the period thereby required, shall be held and are hereby declared to be responsible for the same revenue for each of the ensuing five years, viz. until the expiration of the year 1234 Fuslee, or 1234 Umlee, as the case may be, as may be demandable from them on account of the present year.

Goruckpore and Azimgurh excluded from the operation of the foregoing clauſes.

Zemindars of theſe diſtricts to hold on from year to year, until a new ſettlement ſhall be made.

Fourth.—The districts of Goruckpore and Azimgurh are excluded from the operation of the rules contained in the preceding clauses of this Section: The zemindars and other persons aforesaid within the said districts shall be allowed to hold, from year to year, the mehals for which they may now be under engagements, subject to the payment of the jumma demandable on account of the present year, until the revenue officers shall be prepared to commence a careful revision of the settlement of their respective estates; and all engagements into which such zemindars and other persons may have entered, or shall enter, with the local revenue authorities for continuing their present leases as aforesaid, are hereby confirmed.

The exiſting leaſes in Puttaſpore and its dependencies, to be ſimilarly continued from year to year.

Fifth.—In like manner the zemindars, and other persons aforesaid within the Pergunnah of Puttaspore and its dependencies, shall similarly be allowed to hold, from year to year, the mehals for which they may now be under engagements, until a proper settlement of the same can be made.

General rule relative to zemindars holding on, after the expiration of their leaſes.

Collectors authorized, with the ſanction of the Board, to require zemindars to ſtate whether they are willing to continue their engagements.

Zemindars allowed to hold on, ſhall not be chargeable with additional revenue, excepting in certain caſes.

Sixth.—Provided also, that it be hereby declared and enacted as a general rule, that if any zemindar, or other malgoozar as aforesaid, who may now or hereafter be under engagement for the payment of the revenue demandable by Government on account of any mehal, shall be allowed by the revenue authorities to continue in the management of such mehal after the expiration of such engagement, and shall do or direct any act relative to the cultivation or management of such mehal, or the settlement, assessment or collection of the rents of such mehal, in or on account of any year subsequent to the term of such engagement, such zemindar or other malgoozar aforesaid, shall be held to be responsible on account of such year for the same revenue as may have been demandable from him for the year preceding, unless otherwise specially agreed upon: Provided further, that it shall be competent for collectors or other officers exercising the powers of collectors, with the sanction of the Board, or Commissioner to whom they may be subordinate, at any time, not being more than six months previous to the expiration of a settlement, to call upon the zemindars, or other malgoozars as aforesaid, to declare whether or not they are willing to continue their engagements for the ensuing year; and if such zemindars or other malgoozars shall not forthwith notify their refusal to do so, they shall be held to have agreed to such an extension of their leases at the existing assessment, and so on, from year to year, as aforesaid. Zemindars or other malgoozars who may be allowed to hold on from year to year, shall not be chargeable with any additional revenue on account of any year, unless the collector or other officer exercising the powers of collector shall notify his intention to revise the assessment on or before the commencement of such year, unless where otherwise specially provided.

Settlements how to be made for farmed eſtates.

For eſtates held khas.

For eſtates of recuſant zemindars.

Caſes in which zemindars may be excluded from, or deprived of the management of their eſtates.

III. With respect to estates which are at present let to farm, a settlement thereof shall be made on the expiration of the existing leases for such a period as the Governor General in Council may direct. A preference shall be given to the zemindars, or other persons possessing a permanent property in the mehals, if willing to engage for the payment of the public revenue on reasonable terms: provided also, that in cases wherein such mehals may be let in farm, the term of the lease granted to the farmers shall not exceed twelve years. The above rules shall likewise be applicable to estates now held khas. So in any case wherein the zemindars and other proprietors may refuse to continue their existing engagements, or to enter into new engagements on equitable terms, it shall be competent to the revenue authorities to let the lands in farm, for such period not exceeding twelve years, as the Governor General in Council shall appoint, or to assume the direct management of them, and to retain them under khas management during the period aforesaid, or such shorter period as may be judged proper: Provided further, that if in any case it shall appear to the revenue authorities, that the continuance or admission of any rajah, zemindar, talookdar, or other person who may have engaged, or may claim to engage, for any mehal or mehals in or to the management of such mehal or mehals, would endanger the public tranquillity, or otherwise be seriously detrimental, it shall be their duty to report the circumstance to Government, and it shall be competent to the Governor General in Council, by an order in Council, to cause such mehal or mehals to be held khas, or let in farm, for such term as may appear expedient and proper, not exceeding the period above specified.

The admiſſion of particular parties to engage for the pay-

IV. In admitting particular parties to engage, it was in no degree the intention of Government to compromise private rights or privileges, or to vest the sudder malgoozars with any rights not previously possessed by them, excepting in so far as their interest in the land for which they may have engaged, might be improved by the limitation of the Government demand, or otherwise by the resignation in their favour of rights previously vested in Government itself, or as it may have been found necessary, with a view to the punctual realization of the public dues, to vest the sudder malgoozar, by special regulation, with authority of distraint, or other powers of coercion over the under-tenants. On the contrary, it is the anxious desire of Government, and the bounden duty of its officers, to secure every one in the possession of the rights and privileges which he may lawfully possess, or be entitled to possess. In pursuance of this principle, it is hereby declared and enacted, that nothing in the above provisions for extending the existing leases, or in the stipulations of the existing settlements, do or shall be construed to bar the revenue officers duly empowered in that behalf, from interfering to adjust the respective rights of the sudder malgoozars and their under-tenants; nor shall any claims to a remission or abatement of revenue be admitted on the ground of any decision or order passed in that behalf; but if such decision or order shall operate materially to reduce the profits derived by any zemindar or malgoozar from the mehal owned or managed by him, it shall be competent for such zemindar or malgoozar to relinquish his engagements, and the revenue officers shall in such case proceed to make a settlement of the mehal de novo.

ment of the public revenue, ſhall not bar the revenue officers from interfering to adjuſt the rights of other perſons or claſſes.

But if the profits of any zemindar be materially reduced by an order or deciſion of ſuch officer, he ſhall be at liberty to relinquiſh his engagements.

V. *First.*—The provisions contained in the existing Regulations, regarding the allowance to be made to zemindars and other malgoozars who may be excluded from the management of mehals owned or claimed by them, whether as malikana or nancar, are hereby rescinded.

Exiſting proviſions relative to malakana and nancar reſcinded.

Second.—The proprietors of estates let in farm or held khas shall be entitled to receive an allowance of malikana, at such rate as the Board of Commissioners, or other authority exercising the powers of that Board, may determine, any thing in the existing Regulations notwithstanding; the said malikana to be apportioned in cases in which several proprietors may have heretofore held an estate under one common assessment, whether in joint tenancy or otherwise, according to the shares of each respectively. Provided also, that the malikana allowance granted to the proprietor or proprietors of any mehal shall not in any case be less than five per cent. on the net amount realized by Government from the lands, nor shall it exceed ten per cent. on that amount without the special sanction of the Governor General in Council; provided further, that if the said proprietors shall in any case be in the receipt of any perquisite, or the profits of any lands in lieu of the nankar formerly granted to them by the Native governments, or otherwise, in consideration of their proprietary tenure, the amount of such allowance shall be deducted from the malikana to which they are by this Section declared to be entitled: provided also, that this rule shall not apply to such zemindars as may continue in the occupancy of their tenures, whilst the mehal in which they are included is held khas, or farmed, or of any part of them, that is to say, zemindars who may cultivate or lease their lands, and pay the revenue to the farmer or Government officer; nor without the special sanction of Government to any malgoozar, zemindar, or other proprietor or holder of land, who may directly or indirectly continue to draw any allowance from the ryots of the lands farmed or held khas. Provided also, that malgoozars not being actual proprietors of the land included in the estate for which they may have formerly been under engagements, though recorded in the accounts of past settlements as zemindars, talookdars, or the like, or being proprietors of a part only of such land, shall not receive the above allowance on the jumma of the estate, but shall receive such allowance in lieu of their title of management, as it may appear to Government to be equitable to assign, in addition to the malikana to which they may be entitled on account of any lands held by them in actual property, and of which they may not retain the occupancy. And no malikana shall be granted to any sudder malgoozar on account of lands, the occupants of which may deny his right of property, until he shall have established his right by a regular suit in a court of justice, or to the satisfaction of the Board. But in such cases, such provision will be made for the intermediate support of the party, as the Governor General in Council may, on the recommendation of the Board, see fit to direct.

Malikana to be allowed to proprietors of eſtates farmed or held khas.

How to be apportioned among ſeveral proprietors.

Not to be leſs than five, nor without ſpecial ſanction of Government, more than ten per cent. on the Government jumma.

Subject to what deduction.

No malikana allowance under this rule to be granted to zemindars, who may continue to occupy their lands under the farmer or Government officer.

Nor without ſpecial ſanction to zemindars making collections from the ryots.

Proviſion for the caſe of malgoozars not proprietors, or only part proprietors of the mehals for which they may have been under engagements.

Third.—Provided also, that if any zemindar or sudder malgoozar shall have been called upon by a collector, or other officer exercising the powers of a collector, to

Zemindars may be called upon to ſtate the jumma for which they may be willing to engage, and their malikana allowance may be adjuſted according to the amount tendered by them.

state the highest amount of jumma, for the payment of which he may be willing to engage, and shall have stated the same accordingly, the sum so stated by such zemindar or sudder malgoozar, and not the jumma ultimately realized by Government, shall form the basis on which his malikana allowance shall be adjusted; and in such case it shall and may be lawful for the revenue authorities to limit the said allowance to five per cent. on the said sum, or to a portion thereof, according to the extent of the proprietary interest possessed by the said zemindar or sudder malgoozar.

Or by the net revenue of the preceding year, if no tender be made.

Provided also, that if a zemindar or sudder malgoozar when so called upon shall fail to specify or tender any sum as aforesaid, then and in that case the net revenue derived by Government from the mehal, on account of the year preceding that in which the collector or other officer aforesaid may make the same requisition, shall be taken as the sum by which the amount of malikana (not being less than five, nor more than ten per cent. on the same) shall be adjusted.

Revenue officers may reviſe ſettlement of eſtates, of which the exiſting leaſes ſhall be extended under Section II, during the continuance of ſuch extended leaſe.

VI. *First.*—In cases wherein the existing engagements may be continued under the rule contained in Section II. of this regulation, it shall and may be lawful for the collectors, with the sanction of the Board of Commissioners, to enter at any time in the course thereof on a revision of the settlement, notwithstanding such continuance of the existing leases, and to adopt such measures as may be requisite for ascertaining and determining the extent and produce of the lands, and the amount of jumma properly demandable therefrom, and for procuring and recording the fullest possible information in regard to the rights, interests, privileges and properties of the agricultural community, and to determine the same, with the same powers and authority as they now are or may hereafter be entitled to exercise in forming the settlement of estates open to re-assessment.

Reviſion of ſettlement how to be made.

Second.—The said revision of the settlement shall be made village by village, and mehal by mehal; and such number of mehals shall be revised in each year as the Board, under the orders of the Governor General in Council, may direct.

Reviſion of ſettlement ſhall not operate to alter the amount of the jumma payable on account of lands included in exiſting engagements.

But lands withheld from the knowledge of the Revenue officers at paſt ſettlements, may be ſeparately aſſeſſed.

Revenue officers reviſing ſettlements to exerciſe the ſame authority in adjuſting the relative rights of individuals, as they may exerciſe when aſſeſſing a mehal open to re-aſſeſſment.

Third.—Such revision of the settlement shall not operate to disturb the existing engagements during the period for which they may be continued under the provisions of Section II. of this Regulation, in so far as such engagements relate to the amount of jumma demandable by Government; but the said engagements shall be held and considered to include only such villages and lands as may be specified in the proceedings or accounts of the settlement last concluded; and if on the revision of the settlement of any mehal it shall be found that there has been any material error, or concealment of lands belonging to such mehal, the collector shall be authorized, subject to the orders of the Board, separately to assess the lands so withheld from the knowledge of the revenue authorities, in the same manner and with the same powers as he would assess an unsettled mehal: Provided also, that nothing in this or the preceding Sections shall be construed to prevent the revenue officers from passing and enforcing such orders, in regard to the rights and interests to be enjoyed by the different classes or persons connected with any mehal, during the period for which the existing settlement has been extended, as they may or shall be authorized to pass or enforce, when adjusting the assessment of an unsettled mehal.

Collectors in the conquered provinces to reviſe ſettlements during the continuance of the exiſting leaſes.

Fourth.—It shall in like manner be competent to the collectors in the conquered provinces, and in the province of Bundlecund, to enter on a revision of the settlement under the provisions contained in the preceding clauses of this Section, during the continuance of the existing leases.

When reviſion of ſettlement completed, prolonged leaſes to be granted in the ceded provinces and in Cuttack, Puttaſpore and its dependencies for years ſubſequent to 1234.

VII. *First.*—When a collector in the Ceded Provinces, or in the Province of Cuttack, shall have completed the revision of the settlement of any mehals under the rules contained in the preceding Section, it shall and may be lawful for him, subject to the orders of the Board of Commissioners and of Government, to grant to the proprietors, if willing to engage on adequate terms, renewed leases for such further term of years subsequent to the year 1234 Fuslee or Umlee, as the Governor General in Council may direct.

Jumma for years ſubſequent to 1254, how to be adjuſted.

Second.—The assessment to be demanded on account of the years subsequent to the year 1234 Fuslee, to which leases renewed as above may extend, shall be fixed with reference to the produce and capabilities of the land, as ascertained at the time when the revision of the settlement shall be made, unless under special circumstances justifying a prospective enhancement of the Government demand; provided also, that the amount of such assessment shall not be raised above that of the present jumma, unless it shall clearly appear, that the net profits to be derived from the land by the zemindars, and others who may be entitled to share in the profits arising out of the limitation of the Government demand, will exceed 1-5th of that amount; and in cases wherein any increase may be demanded, the assessment shall be so regulated as to leave the zemindars and others aforesaid a net profit of twenty per cent. on the amount of the jumma payable by or through them respectively, no abatement on the existing jumma will be allowed, unless on the clearest grounds of necessity.

Pottahs granted on reviſed ſettlement only to cover land ſpecified.

Third.—The pottahs granted on such revised settlements shall be held only to secure the malgoozars from further demand during the term of their respective leases, on account of the lands specified in it, or described in the settlement roobakaree of the collector, with such allowance for error as may be distinctly declared at the time of settlement. Zemindars and other persons entering into engagements will be required therefore to afford the fullest and most correct information in regard to the rucba of the mehals for which they may engage.

In conquered provinces likewiſe, renewed leaſes to be granted pending the preſent ſettlement for a term of years ſubſequent to its expiration

Fourth.—In like manner it shall and may be lawful for collectors in the Conquered Provinces and in the Province of Bundlecund, to grant renewed leases for a further term of years subsequent to the expiration of the existing settlement, subject to the same rules, restrictions and provisions, as are enacted in the preceding clauses relatively to the Ceded Provinces.

Caſes wherein the final ſettlement of eſtates ſhall after reviſion, be poſtponed until the expiration of the current leaſes.

Rules applicable to ſuch caſes

Fifth.—If any zemindar or other sudder malgoozar, the settlement of whose estate may be revised under the above rules, shall refuse to enter into suitable engagements for a further period beyond the term of the then current lease, or if after such revision the revenue authorities shall under any other circumstances deem it expedient to postpone taking further engagements for the payment of the revenue of any mehals until the expiration of the current leases, it shall be competent to them to do so; and in such case, the several rules contained in Section III. of this regulation, relative to estates of which the settlement will expire with the present year, shall on the expiration of the said leases be and be held applicable to such mehals.

The ſame rules applicable to eſtates in Goruckpore, Azimghur, Puttaſpore, &c. as they may become open to re-ſettlement.

Sixth.—The same rules shall also be applicable to the several mehals within the district of Goruckpore, the chuklah Azimgurh, the purgunnah Puttaspore and its dependencies, as they may respectively become, or be declared open for re-settlement.

Waſte lands may be diſpoſed of by Government, under what conditions.

VIII. Where the waste land belonging to or adjoining any mehal is very extensive, so as considerably to exceed the quantity required for pasturage, or otherwise usefully appropriated, it shall be competent to the revenue officers to grant leases for the same, to any persons who may be willing to undertake the cultivation, in perpetuity, or for such periods as the Governor General in Council shall determine; and to assign to the zemindars, or others who may establish a right of property in the lands so granted, an allowance equivalent to ten per cent. on the amount payable to Government by the lessees, in lieu and bar of all claims to or in the waste lands so granted, or such other perquisites or privileges as by the custom of the country they may appear in such cases entitled to receive.

Detailed inveſtigations to be proſecuted by collectors and other officers making or reviſing ſettlements.

Proceedings to embrace what particulars.

IX. *First.*—It shall be the duty of collectors, and other officers exercising the powers of collectors, on the occasion of making or revising settlements of the land revenue, to unite, with the adjustment of the assessment, and the investigation of the extent and produce of the lands, the object of ascertaining and recording the fullest possible information in regard to landed tenures, the rights, interests and privileges of the various classes of the agricultural community. For this purpose, their proceedings shall embrace the formation of as accurate a record as possible of all local usages connected with landed tenures, as full as practicable a specification of all persons enjoying the possession and property of the soil, or vested with any heritable or transferable interest in the land, or the rents of it, care being taken to distinguish the different modes of possession and property, and the real nature and extent of the interests held, more especially where several persons may hold interests in the same subject matter of different kinds or degrees. This record shall, in Putteedaree or Byhachara villages, or the like, include an accurate register of all the coparceners, not merely the heads of divisions, such as the Puttees, Thokes or Bahrees, but also as far as possible of every person who occupies lands, disposes of its produce, or receives rent as proprietor, or as agent for one or more proprietors holding land and disposing of its produce, or receiving the rents of it in common, with a detailed statement of the interior arrangements adopted by the brotherhood, for the distribution of the profits derived from sources common to the coparcenency where any such exist, and for determining the share of the Government jumma, and of the village expenses which each parcener is to contribute, or the other modes in which the engaging parcener or intermediate Putteedars and Behreedars collect from the cultivators. A record shall likewise be formed of the rates per beegah of each description of land or kind of produce demandable from the resident cultivators not claiming any transferable property in the soil, whether possessing the right of hereditary occupancy or not, and the respective shares of the sudder malgoozar, or other manager, and the cultivator, in lands cultivated under kunkoot, bataie, or similar engagements, with a distinct specification of all cesses or extra collections made by the malgoozar, or village manager, or other. The names of all the village putwarees and village watchmen shall also be registered, with a statement of the amount and nature of the allowances assigned them. And all lakheraj tenures shall be carefully recorded with a specification of the nature of the tenure. The information collected on the above points shall be so arranged and recorded as to admit of an immediate reference hereafter by the courts of judicature; it being understood and declared that all decisions on the demands of the zemindars shall hereafter be regulated by the rates of rent, and modes of payment avowed and ascertained at the settlement, and recorded in the collector's proceedings, until distinctly altered by mutual agreement, or after full investigation in a regular suit: And all cesses or collections not avowed and sanctioned, nor taken into account in fixing the Government jumma, shall be held illegal, and unauthorized, unless now or hereafter specially sanctioned by Government.

How far to be binding on the courts of Judicature.

What ceſſes or collections to be held illegal.

Collectors and other officers making ſettlement may grant pottahs to mofuſſil Zemindars and Ryots.

Second.—Provided also, that it shall be competent to collectors and other officers as aforesaid (subject to the orders of the Board of Commissioners) to grant pottahs to the several mofussil zemindars and ryots, or other owners or occupants of land, for the land owned or occupied by them, specifying the amount to be paid by them, and all the conditions attaching to their tenure, and a register of all pottahs so granted shall form a part of the roobakaree of settlement.

In what caſe engagements for the revenue may be taken as heretofore, without a detailed mofuſſil ſettlement.

Third.—Provided, however, that if from the number of estates, of which the leases may at once expire in any district, or from any other special cause, it shall be found necessary for the security of the Government revenue, to take engagements from any zemindar, malgoozar, or farmer, without completing the detailed inquiries above directed, it shall be competent to the Boards of Revenue, or other authority exercising the powers of such a Board, to cause engagements for the revenue to be taken in the manner heretofore in use, reporting the circumstance to the Governor General in Council; but the term of the engagements so taken shall not exceed five years, and the rules relative to the revision of the settlements of mehals, of which the existing leases have been extended under the provisions of Section II. of this Regulation, shall be equally applicable to estates for which such engagements shall be taken.

Such engagements not to be granted for a term exceeding five years, nor to bar an intermediate reviſion.

In caſes where ſeveral perſons holding intereſts of different kinds may have ſeparate properties in the ſame land, Government may determine which of ſuch parties ſhall be admitted to engage for the public revenue.

X. *First.*—Of several parties possessing separate heritable and transferable properties in any parcel of land, or in the produce or rent thereof, such properties consisting of interests of different kinds, it shall be competent to the Governor General in Council to determine and direct which of such parties shall be admitted to engage for the payment of the Government revenue; due provision being made for securing the rights of the remaining parties. It is further hereby declared and enacted, that it is and shall be competent to the Governor General in Council, in confirming the settlement of any mehal in perpetuity, or for a term of years, to determine and prescribe the manner and proportion in which the net rent or profit arising out of the limitation of the Government demand shall be distributed among the different parties possessing an interest in the lands appertaining to such mehal, or in the rent or produce of such lands or mehal.

Proviſion to be made for the remaining parties.

Government will alſo determine the manner and proportion in which the net rent or profit ariſing out of the limitation of the public demand ſhall be diſtributed among the different parties poſſeſſing properties in lands ſettled in perpetuity, or for a term of years.

Mofuſſil ſettlements to be made in caſes wherein the title of an intermediate manager between Government and the proprietors or hereditary occupants of the ſoil may be maintained.

Second.— In cases wherein any land appertaining to a mehal hitherto recognized as the talooka, zemindaree, or the like of one or more sudder malgoozars, may be owned or occupied by other persons holding under the sudder malgoozar, and possessing an heritable and transferable property therein, or an hereditary right of occupancy subject to the payment of a fixed rent, or of a rent determinable by a fixed principle, if the title of the said sudder malgoozar to engage for the revenue be upheld, and generally in cases wherein the tenure of an intermediate malgoozar or manager between the Government and the proprietors or hereditary occupants of the soil may be maintained, whether the Government revenue be collected from the zemindar, talookdar, or other hereditary intermediate malgoozar, or the mehal be farmed or held khas, it shall be competent to the collector, or other officer who may be employed in adjusting the jumma to be assessed on such mehal, with the sanction of the Board previously obtained, and subject to the orders and direction of that authority, to make a mofussil settlement with each of the proprietors or occupants aforesaid for the land possessed by him, and to grant such proprietors or occupants pottahs, defining the condition on which they are to hold their land, whether subordinate to the sudder malgoozar, or to the farmer or officer of Government employed in the khas management, and in all such cases, if engagements for the Government revenue of the mehal be taken from the intermediate hereditary malgoozar, the particulars of the mofussil settlement, when approved by the Board, shall be indorsed on the pottah to be granted to the sudder malgoozar, or shall be so incorporated with the engagement taken from him as to form part of the same.

Where ſeveral perſons may hold a common property or properties ſubject to a common obligation

The Revenue Officers may make a joint ſettlement with or in behalf of the parties collectively, or of a majority of them

Or may ſelect one or more to manage the mehal as sudder malgoozars

Third.—In cases in which two or more persons may possess a joint property in any village, mehal, or parcel of land, or in the rent or produce of any village, mehal or land, or in any part of such village, mehal, land, rent or produce, the property of such persons consisting of interests of the same kind, whether of the same extent or otherwise, as well as in cases wherein such property in any mehal, village, land, produce or rent, may be separately possessed by parties subject by prescriptive usage to common obligations, whether existing or contingent, it shall be competent to the collector, or other officer exercising the powers of collector, subject to the orders and direction of the Board and of the Governor General in Council, either to make a joint settlement with the parties collectively, or a majority of them, or with an agent appointed by them, or a majority of them, or to select one or more of them to undertake the management of the mehal as sudder malgoozars, due advertence being had to the wishes of all the coparceners, and to the past custom of the village or villages comprised in the mehal

When a joint ſettlement is to be made, parties how to be ſummoned.

Fourth—When it shall be determined to make a joint settlement for any village, mehal, or parcel of land, with the parties possessing therein a joint property as aforesaid, the collector or other officer making the settlement shall give notice of his intention, by a written proclamation to be stuck up in some public place within the village, mehal or land, and shall require all persons possessing therein a property as aforesaid to attend, either in person, or by representative duly authorized in the matter, within a reasonable period, at a stated place and time, and to declare their agreement or non-agreement to the jumma proposed to be assessed on the village or land

Perſons wilfully failing to attend when ſummoned, to be bound by deciſion of the majority who may attend, and to be reſponſible for the revenue agreed to Unleſs otherwiſe ſpecially provided.

Fifth.—If any person or persons, when summoned as above, shall refuse, neglect or omit to attend, either in person or by representative, such person or persons shall be held to be bound by the decision of the majority of those who may attend in agreeing or disagreeing to the jumma, and his or their interests and estate shall, unless otherwise specially allowed, be held responsible for the Government revenue, and be liable to sale in the event of any arrear accruing on account of the settlement.

In caſes in which any of the parceners object to the jumma aſſeſſed, the engaging parceners ſhall be deemed to be farmers of the revenue of the lands belonging to the recuſants, if their engagements extend to ſuch lands

Sixth.—If any person or persons shall attend, and shall object to the jumma proposed to be assessed, then, should a settlement be made with the other parties present, the objecting parties shall be left in the enjoyment of the same rights and interests as they would enjoy in the event of the mehal being farmed or held khas, and in so far as regards the lands to which such rights and interests attach, the other parceners, if their engagements be extended thereto, shall be considered farmers of the Government revenue, to hold the same under leases of such term as may be determined and agreed upon under the general rules applicable to lands for which the proprietors may refuse to engage

Proprietors cultivating lands of which the revenue may be collected khas or farmed, at what rates to pay rent

Seventh.—When any mehal or portion of a mehal held by a number of cultivating proprietors in Putteedaree or Bhyachara tenure, or the like, shall be let in farm or held khas, the rent demandable from the proprietors of such mehal or portion of mehal, on account of the land occupied and cultivated by themselves, shall be adjusted by the rates payable by ryots, or other resident cultivators not having an heritable and tranferable property in the soil, for lands of a similar description in the same or in the adjoining villages, with a deduction of five per cent. on account of malikana, or such other rate, not being less than five per cent. as Government may determine

When the ſettlement of a mehal held in common tenancy, or ſubject to common obligation, ſhall be made with one or more of the parceners ſelected as manager or ſudder malgoozar, on what terms the other parceners are to hold.

Nature and conditions of the ſudder malgoozar's tenures to be declared.

Eighth.—When it shall be determined to make a settlement of a mehal of the above description with one or more of the parceners selected to manage, collect, and account for the public revenue as sudder malgoozar, then and in that case the interests of the non-engaging parceners shall not be held answerable for the default of the sudder malgoozars, save and except in so far as may be specifically provided. Such parceners shall, until regularly separated, continue to hold their lands as subordinate proprietors, subject to the payment of rent or revenue to the sudder malgoozar at the rates and in the mode heretofore in use, excepting in so far as that usage may be affected by the determination of Government in regard to the distribution of the net rent or profit derived from the limitation of the Government demand, or by the rules now in force, or hereafter to be enacted, for vesting the sudder malgoozars with specific powers over the subordinate tenants in the collection of the rent or revenue demandable from them. The responsibility attaching to the persons selected as sudder malgoozars, and the conditions under which they are to hold that title of management, will in each case be specifically declared at or after the time when the settlement is confirmed. The conditions and limitations under which the subordinate proprietors shall be admitted to separate engagements will also be similarly declared.

Lands ſeparately owned and occupied, though hitherto held as one mehal, may be ſeparately ſettled.

Joint properties, or properties ſubject to a joint obligation; in what caſes to be divided.

Ninth.—Provided further, that in all cases wherein different parcels of land belonging to any mehal may be separately owned and occupied by different proprietors, or by different bodies of proprietors, it shall be competent to the Boards of Revenue, or other authority exercising the powers of that Board, to cause a separate settlement to be made for the land owned and occupied by each proprietor, or by each body of proprietors, and each parcel of land for which a separate settlement may be so made, shall be held exclusively responsible for the revenue assessed upon it. Provided also, that if the several parties possessing a joint property, or separate properties subject to a common obligation as aforesaid, or any of them, shall apply to a collector, or other officer making or revising a settlement, to have separate possession of their several share or shares in such joint property, or to be admitted to separate engagements, it shall be competent to such collector or other officer, with the sanction of the Board, or other authority to which he may be subordinate, to make a partition of the property among the different parties according to their respective interests, and to make a separate settlement with each of them, or with such as may desire to enter into separate engagements.

Proprietors though excluded from engagements may have their names regiſtered.

Tenth.—In all cases wherein any proprietors may be excluded from engagements, the collector shall be careful to let it be known that all persons possessing a property in the mehal are entitled to have their names recorded in the roobukaree of settlement, with the amount or rate of the assessment demandable from each.

Collectors forming ſuch regiſtry to proceed on the baſis of actual poſſeſſion.

XI. *First.*—The collector's proceedings in forming the registry above directed, shall be founded on the basis of actual possession, and that officer shall, in every instance, be careful to record the precise nature of the authority on which the entries in his books may be made. In conformity with the above principle, it shall be competent to the collectors or other officers when making or revising settlements, or otherwise deputed, to investigate and determine the circumstances of any mehal, and the nature of the tenures connected with it; to correct the errors or omissions of former settlements by admitting to engagements, or entering on the public records, the names of the persons found in the bonâ fide possession of land, or in the receipt of rent under a proprietary title; and in such cases the collector will hold an official proceeding, explaining fully the grounds on which he may act.

In eſtates held under Putteedaree, Bhyachara, or the like tenure, collectors may in certain caſes, make a freſh allotment of the revenue and charges payable by the ſeveral parceners.

XII. *First.*—In cases in which the proportion of the Government jumma and village expenses payable by each proprietor, and by each body of proprietors comprised in the several Puttees, Behrees, and other divisions of an estate held under Putteedaree or Bhyachara tenure, or the like, may have been originally fixed on a measurement of the lands occupied by each, with reference to the quantity in cultivation, and may be liable by the usage of the country to periodical adjustment on the same principle, if the collector or other officer making or revising the settlement shall be satisfied by examination of the putwaries accounts or otherwise, that the contributions paid by any proprietor or body of proprietors as aforesaid are materially in excess of the amount justly demandable from them, it shall be competent to him, with the previous sanction of the Board, to cause a new distribution to be made of the revenue and charges payable by each, with reference to the above principle, and to such resolutions as Government may have passed relative to the apportionment of the net rent or profits arising out of the limitation of the Government demand, and in the performance of this duty to employ the canoongoe, and such person or persons as he may judge it advisable to appoint, and to settle the jumma payable by the different parties according to the award of such person or persons, or otherwise as shall appear to be just and equitable.

And in certain caſes may make a freſh partition of the land.

Second.—In like manner, in cases in which the several proprietors shall be entitled not only to an adjustment from time to time of the jumma payable on account of the lands occupied by them, but likewise to a periodical partition of the lands of the village, with reference to the share recorded as belonging to each, it shall be competent to the collector to cause a fresh partition of the lands, and adjustment of the jumma, to be made as above prescribed, and at the same time to fix and declare the period from which the arrangement as finally settled is to have effect, and to adjust the claims of the parties relative to the revenue intermediately paid by them, as may appear equitable; provided however, that no such partition or adjustment shall be final until confirmed by the Board of Commissioners, or other authority exercising the powers of that Board; provided also, that if any parties shall dispute the existence of the usage under which the partition of the lands shall have been made, and shall claim to be restored to possession of the lands which the collector may have transferred to another, or shall consider himself entitled to the benefit of a new partition, of the lands comprised in the mehal to which he may belong, in any case in which the collector may have refused to order it, it shall be competent to the said party to bring a regular suit in the Zillah Court against the person or persons to whom the lands may have been transferred, or the person or persons who may resist the partition, to try the justness of the collector's decision; but if the existence of the usage shall be admitted or established, it shall not be competent to the courts of judicature to question the accuracy of the partition of the land, or adjustment of the jumma; and whenever the decision of a collector for the partition of any land shall be set aside, it will of course belong to the revenue authorities to re-adjust the jumma with reference to the interests of the parties, as defined and settled by the final decision of the courts of judicature, and to the conditions of the tenure, and to any general or special resolution of Government relative to the distribution of the net rent or profit arising out of the limitation of the public assessment.

Caſes wherein parties affected by collector's deciſion may conteſt it in the Adawlut

On what points deciſion of revenue officers to be concluſive.

Collectors ſhall not diſturb poſſeſſion unleſs ſpecially authorized

XIII. Collectors, and others officers exercising the powers of collectors, shall not, unless where specially authorized in the manner prescribed in this or some other Regulation, do any act tending to disturb possession, but shall leave the Adawlut to investigate in a regular suit all claims of persons not in possession, but deeming themselves entitled to be so.

Collectors making or reviſing ſettlements may declare nature and extent of intereſts poſſeſſed by perſons occupying land.

XIV. *First.* Collectors making or revising settlements shall, in cases in which any dispute may exist in regard to the nature of the tenure of any person occupying the soil, be competent to declare in an official proceeding, to be incorporated in the roobukaree of settlement, the nature and extent of the interests actually possessed by such occupant, referring to the denomination heretofore applied to him only as one means of proof in regard to the nature of the interest, but stating at length, with specification of any examination he may take for his satisfaction, the grounds of his determination; so also in cases of dispute regarding the extent of the interest belonging to any sharer in a village or villages held under Putteedaree, Bhyachara, or the like tenure, such sharer having actual possession of a portion of such village or villages, or being in the actual receipt as proprietor of a share of the joint profits of the land, it shall be competent to the collector to decide the point in the first instance in his roobukaree of settlement, and to enforce his decision, leaving the party who may deem himself aggrieved to seek redress by a regular suit in the courts, to try the right; but nothing herein contained shall be construed to authorize the courts to interfere with the decision of the collector in regard to the amount or proportion of jumma to be assessed on any parcel of land, or in respect to the quantity and description of land to be assigned in partition to the holder of any specific share of a joint estate.

Where lands held in Putteedaree, Bhyachara, or the like tenure, collectors may decide diſputes as to the extent of intereſt belonging to any parcener, and may enforce his deciſion.

Subject to an appeal to the Adawlut.

Collectors ſhall not under the above rule take cognizance of

Second.—The above rule shall not be construed to empower collectors, unless otherwise authorized, to take cognizance of any claim, to receive a larger portion claims to larger profits, or more land than claimant may have hitherto enjoyed or held.

of the common profits than the claimant has hitherto enjoyed, or to hold a larger portion of the village or villages than he has hitherto occupied.

Deciſion of revenue officers to be maintained by courts unleſs proved to be wrong in a regular ſuit

Courts not to interfere with apportionment of jumma, or allotment of land made by collectors, excepting where the principle of collector's deciſion may be at variance with decree.

Third.—The decisions passed by the collectors under the above powers, if not altered or annulled by the Board or by Government, shall be maintained by the courts, unless on investigation in a regular suit it shall appear that the possession held under such a decision is wrongful; and nothing herein contained shall be understood to authorize any court to interfere with the decision of the revenue authorities relative to the jumma to be assessed on any mehal, or portion of a mehal, or to the extent and description of lands belonging to any mehal that may be assigned on the partition of the same to the several parceners concerned.

In what caſes collectors to take cognizance of complaints of wrongful diſpoſſeſſion.

Subject to an appeal to the Adawlut.

Fourth.—If any person shall complain to a collector, or other officer making or revising the settlement of any mehal, that he has been wrongfully dispossessed from any lands, premises, crops, orchards, pasture grounds, fisheries, wells, watercourses, tanks, reservoirs, or the like, within such mehal, or of the rents, produce or profits of such lands, premises, &c. the like as aforesaid, or that he has been wrongfully disturbed in the possession thereof, it shall be competent to the collector, or other officer aforesaid, to inquire into the matter, and if the party so complaining shall appear to have been in possession in the year preceding that in which the complaint is brought, and there shall otherwise be reason to believe that he has been violently or wrongfully dispossessed or disturbed, it shall be competent to the collector to restore or confirm him, recording the grounds of his determination in a roobukaree; and the opposite party shall in such case be left to bring a regular suit in court to try the question of right. In like manner should a collector, or other officer as aforesaid, find that there exist in any mehal, of which he may be making or revising the settlement, any disputes relative to the possession of lands, premises, or the like, which it may be expedient to adjust, it shall be competent to the collector or other officer aforesaid to pass a decision determining the point of possession, leaving the question of right, if further disputed, to be settled by the result of a regular suit in the Adawlut.

The above proviſions, to what caſes to apply.

To what caſes the rule ſhall not apply.

Fifth.—The above provisions shall be held to apply to all cases in which a zemindar or undertenant, whether farmer or ryot, having by special deed or prescriptive title, a right of occupancy, shall have been wrongfully ousted from the occupancy of lands held and cultivated by him in the preceding year, or in which the rents and profits of any land which were received by such dispossessed party in the preceding year, shall be withheld from him, without a legal award, or a voluntary act of the party involving the transfer, renunciation or relinquishment of such rents and profits. But the above rule shall not apply to any case in which the complaining party may have executed any deed, purporting to be a relinquishment of possession, unless it shall have been established by some judicial proceeding that such deed was extorted by force and terror, nor to any cases wherein the complainant shall have in any way lost or relinquished possession previously to the commencement of the year preceding that in which the complaint may be preferred.

In ſettling reſumed lakhiraj lands, collectors may take cognizance of claims to the property therein.

And may give poſſeſſion to parties appearing to have the beſt title.

Subject to an appeal to the Adawlut by a regular ſuit.

The above rule not to extend to lands held under grants made by, or at the requeſt of proprietors.

XV. In the settlement of any resumed mehal held or pretended to be held under Sunnuds from the ruling power, or from the Amils, or other officers of the Government, whether such lands shall have been heretofore subject to the payment of revenue or otherwise, it shall be competent to the collector or other officer making the settlement to hear try and determine, all claims to the property and possession of the land comprising such mehal, or the rents or produce thereof, anything in the existing Regulations notwithstanding, and subject to the orders and direction of the Board of Revenue, or other authority exercising the powers of that Board, to give possession to, and conclude a settlement with, the party who may appear to have the best title, leaving other claimants to establish their claims by a regular suit in the Zillah or Provincial Court, by which, according to the value of the interest at stake, all decisions passed by the revenue authorities under this Section, may, on such suit being fully heard, tried and determined, and not otherwise, be revised, annulled or altered. The above rule shall not extend to lands held free of assessment under grants made by, or at the request of the proprietors themselves, or their representatives, the settlement of which shall ordinarily be made with the parties in possession, if willing to engage on adequate terms.

XVI. It shall be competent to the Governor General in Council to grant to a collector making or revising the settlement of any mehal, whether the same may have been held by a lakhiraj tenure resumed, or being malgoozaree, may have become open to resettlement in ordinary course, special authority to hear, try, and determine as above, all claims to the property and possession of the lands lying within such mehal, or the rent or produce thereof, and to give possession to the party who may appear to have the best title, subject to the orders and direction of the Board, and further subject, as above, to the revision of the Zillah or Provincial Court on a regular suit, provided also, that whenever special authority may be given to any collector as aforesaid, notice of the order of Government shall be published by a proclamation within the mehals, to which the authority so given may extend, and it shall be the duty of the collectors and the Boards to see that such proclamation is duly made But no decision passed by a collector under this or any other Section whereby such notification is required, shall be disturbed by any court of judicature, otherwise than after a full and regular investigation of merits on the plea that proclamation was not made.

Governor General in Council may grant to collectors making or reviſing ſettlements, ſpecial authority to take cognizance of claims to the property and poſſeſſion of land.

XVII It shall be competent to collectors and other officers engaged in making or revising the settlement of any purgunnah, mowzah, or other local division, on the application of persons claiming a right of property in lands held free of assessment, or at a mocurruree jumma, under unquestioned grants from the ruling power, or from the Amils, or other officers of government, and situate within or adjoining to such pergunnah, mowzah, or other local division, to receive, try, and determine the claim; and if satisfied that the applicants do possess, or are entitled to possess, a hereditary and transferable property in the land, or the produce or rent thereof, the collector or other officer, with the sanction of Government previously obtained, shall be authorized to conclude a settlement with them on behalf of the lakhirajdar or mocurrureedar, for such period as the Governor General in Council may direct, and shall grant to each of the said proprietors pottahs, defining the conditions on which they are to hold their lands, subordinate to the lakhirajdar or mocurrureedar.—It shall further be competent to the collector, under the orders of the Board of Commissioners, to fix and declare the amount of malikana, or other proprietary allowance to be paid by such lakhirajdars or mocurrureedars to the said proprietors, in the event of their being divested of the occupancy and management of their lands. Provided however, that either party who may be dissatisfied with the decision of the collector as to the question of the right of property, shall be at liberty to contest the same in a regular suit in the Adawlut, but the courts shall not interfere to alter the terms on which the settlement may have been made by the collector with proprietors, or the amount of malikana granted to such persons.

Collectors making or reviſing ſettlements in what caſes to take cognizance of claims to property in lands held lakhiraj, or at a mocurruree jumma, under valid tenures, and to make a ſettlement with the proprietors on behalf of the lakhirajdar, or mocurrureedar.

Proviſo that an appeal to the Adawlut ſhall lie on the queſtion of right of property

XVIII. The collector shall in cases of doubt be the judge of the question of jurisdiction, subject to the orders of the Board and of Government, and the courts of judicature shall not disturb possession given by the collector, except on a regular suit, and on a decision as to the right.

Collectors to be the judges to the queſtion of juriſdiction

XIX. *First.*—It shall be competent to collectors when prosecuting the above inquiries, or hearing and trying the above suits or otherwise, when authorized in that behalf by the Board to which they may be subordinate, to require all sudder malgoozars, and other persons owning, occupying, managing or cultivating any lands within or in the vicinity of the mehal to which their inquiries may extend, or gathering or disposing of the produce thereof, or collecting enjoying or appropriating any rent or revenue derived therefrom, as well as the gomashtahs, or other agents employed by such persons in the management or cultivation of the land, or in the collection of the rent, produce, or revenue thereof, to attend and produce all accounts or other papers which they may respectively possess relative to such lands, produce, rent or revenue, and to examine the said persons on oath, or hulufnamah, to the truth of the accounts produced, or on any other matter relating to such accounts, or regarding the lands, produce, rent or revenue of the mehal, or the rights and interests attaching to such lands, produce, rent or revenue, provided however, that no person shall be compelled to answer on oath or solemn declaration, any interrogation regarding matters wherein he may have an immediate personal interest in concealing the truth, or in uttering what is false, not being an interest arising out of fear, favor or reward, or any corrupt bargain or agreement with another party.

Collectors authorized to ſummon witneſſes and require production of accounts

To examine on oath, or Hulufnamah.

Proviſo that perſons ſhall not be examined on oath on queſtions immediately touching their own intereſts

Second.—The rules contained in Section XI, Regulation II, 1819, relative to the mode of serving process on persons who may be required to attend and produce

Rules of Regulation II, 1819, applicable to proceſſes iſſued by collectors under this Regulation.

Alſo to putwarries and others ſummoned or examined in caſes cognizable under this Regulation.

And to all other perſons upon whom proceſs may be iſſued.

accounts under the provisions of that Regulation, shall be and be held applicable to processes issued by collectors or other officers under the rules contained in this Regulation. In like manner the provisions of Section XII. of the said Regulation shall be applicable to all putwarries, gomashtahs, or other persons, by whom the accounts of any lands, regarding which the said inquiries may have been instituted, may be kept, and who after being duly summoned as aforesaid may neglect or omit to produce any of the accounts required from them, or to give their evidence regarding them, or who may deliberately give a false deposition on oath, or solemn declaration, when summoned and examined as aforesaid, or who may alter, fabricate, falsify or mutilate the accounts which they may be required to produce; provided further, that collectors and other officers employed in the settlement of the land revenue, or in any of the inquiries specified in this Regulation, shall be vested with all the powers and authority which are or may be lawfully exercised by collectors in cases depending before them under Regulation II, 1819, and the rules contained in Clause III, Sections XIII. XIV. and XIX. of the said Regulation, shall be and be held applicable to all persons who may be summoned by any collector or other officer aforesaid, or who may resist the process of a collector issued under the rules of this Regulation, or who may refuse to take an oath, or subscribe a solemn declaration when required, or who may deliberately give a false deposition on oath, or under a solemn declaration taken instead of an oath, or may cause or procure another to do so.

Powers ſpecified in Sections XI. XII. XIV. XVI. XVII. XVIII. and XIX. to be ordinarily veſted in collectors making or reviſing ſettlements.

But Governor General in Council may reſtrict powers to be exerciſed on any particular occaſion.

Like powers may be ſpecially veſted in collectors, though not engaged in making or reviſing ſettlements.

Collectors may be ſimilarly veſted with ſpecial powers to try all ſuits regarding rent.

Or exaction of rent.

The adjuſtment of accounts between landlord and tenant their ſureties and agents,

and touching all matters connected with land, the rents or produce of land, the delivery of pottahs, the violation of engagements and generally all diſputes between Sudder Malgoozars, and farmers and their tenants.

XX. *First.*—The powers specified in Sections XI. XII. XIV. XVI. XVII. XVIII. and XIX. of this Regulation, shall be ordinarily exercised by collectors when employed in making or revising settlements of the land revenue, and shall extend to all the lands comprised in the pergunnah in which he may be so employed; but it shall be competent to the Government, by an order in Council to be publicly proclaimed in the district, to restrict the authority of collectors and other officers making settlements in such manner, and to such extent, as he may, from time to time, judge expedient. In like manner it shall be competent to Government to vest such collectors as may from time to time be judged fit, with a special authority to receive, try, and determine in the first instance, subject to a regular suit in the Adawlut as above provided, all or any of the questions of the nature specified in the aforesaid Sections, though the said collectors may not be engaged in making or revising a settlement of the land revenue, and to vest in such of the collectors as may be thought proper, authority (either generally, or within such limits as may be from time to time determined) to receive, try, and determine by summary process, all suits for rent which may be preferred by zemindars, talookdars, or other sudder malgoozars or farmers of land, or by any person in their behalf, against any dependent talookdar, zemindar, under-renter, ryot, or other under-tenant of whatever denomination, as well as all applications by ryots and the under-tenants contesting the demand of a sudder malgoozar or farmer, and all complaints preferred by ryots or other under-tenants of whatever description, against landholders or farmers of land, or their respective agents or representatives, on account of excessive demand or undue exaction of rent, whether levied by distraint or otherwise, as well as all suits relative to the adjustment of accounts between landholders and farmers of land or under-tenants of whatever description, with their sureties, or with any agents or persons employed by them in the managements of land, or the collection or payment of the rent of land, and to all other matters immediately connected with the demand, receipt or payment of the rent of land, whether malgoozary or lakhiraj, or with the rent of orchards, pasture grounds, and fisheries, commonly denominated phulkur, bunkur and julkur, or with any other asset of the land revenue, not included in the sayer abolished, together with all complaints of the non-delivery of pottahs when demandable under the Regulations, or complaints of the prescribed receipts not being given for actual payment of rent, and, generally, complaints of any deviation from the Regulations, or from the established usage of the country relative to the matters aforesaid, or any violation of subsisting engagements in disputes respecting the rent and occupancy of land, between landholders or farmers of land, and their under-tenants of whatever denomination.

Appointment of collector to exerciſe the above duties how to be notified.

Second.—The appointment of the collector to the discharge of the above duties, and the extent of the jurisdiction to be assigned to him, shall be notified by Proclamation in the district, after such manner as the Governor General in Council may direct; and after the publication of such notice, all summary suits, actions, applications and complaints of the above nature, and referring to lands or the rents, produce, or accessions of land lying within the jurisdiction assigned to the collector as above, which may be preferred in the Zillah or City Adawlut by any sudder malgoozar, zemindar, talookdar, farmer, ryot, or other proprietor or under-tenant of land, shall, immediately on being received, be referred for trial to the collector, to whom all such summary suits depending at the time shall be transferred; provided also, that in such cases, parties having suits or complaints to prefer, of which the cognizance may be vested as above, in the collector, shall be at liberty to prefer them to that officer in the first instance. It shall in like manner be competent to the Governor General to fix, by an order in Council, the period at which the special powers given as above to a collector, and the authority to be ordinarily exercised by those officers on the occasion of making settlements, shall cease and determine.

Governor General may fix by proclamation period for which collectors are to exerciſe judicial powers under this Regulation.

Third.—No complaint or application of the nature specified in the preceding clauses shall be received by a collector under the rules of this Regulation, unless the plaint or application shall have been preferred within the period of one year after the cause of action shall have arisen.

Collectors ſhall not take cognizance of complaints ſpecified in preceding clauſes, unleſs preferred within one year

XXI. In summary suits for rents and the like, wherein special rules have been prescribed for regulating the process of the courts, the collectors shall be guided by the same rules, and shall exercise the same powers and authority as are or may be lawfully exercised by the Zillah and city judges. In other cases falling under their cognizance, according to the provisions of this Regulation, the ordinary process for securing the attendance of the defendant or party otherwise impleaded, shall be to issue a notice reciting the matter, and requiring the defendant or other party to attend in person, or by representative, at such time and place as may be made choice of by the collector for conducting the investigation; should any party fail to attend after being served with a notice of the above description, or should the return of the nazir or person employed to serve the notice be, that after diligent search the party or parties cannot be found, proclamation shall be made in writing, to be stuck up at or near the ordinary residence of the party, stating that after fifteen days from the date of publishing the same the case will be liable to be brought up for trial and judgment; and any party implicated, who having been served with the notice above described shall fail to attend, or who shall continue to absent himself, will be as much bound by the judgment that may be passed as if he or they had been in attendance to plead.

Collectors by what rules of practice to be guided, and what proceſſes to iſſue

XXII.—Sections XVIII. and XIX. Regulation VIII. 1819, are hereby extended to all the provinces immediately subject to the Presidency of Fort William, and the provisions of the said Sections shall be applicable to the proceedings of collectors held under this Regulation; provided, however, that whenever it shall be desired to apprehend a defaulter residing out of the jurisdiction of the collector by whom the suit relative to the alleged arrear may be cognizable, the process of arrest shall be served through the judge of the district where the alleged defaulter may reside.

Section XVIII. and XIX. Regulation VIII. 1819, extended and declared applicable to caſes tried by collectors under this Regulation.

XXIII. *First.*—It is hereby declared and enacted, that in so far as concerns the summoning and examination of witnesses, the penalties for false testimony, for resistance of process, contempts, and all other similar matters connected with cases under cognizance before the collectors of land revenue, or other officer, by virtue of the powers vested in them by this Regulation, or any other Regulation whereby collectors are vested with judicial powers, their cutcherry or office for the time being being shall be deemed and held to be a court of civil judicature.

Collector's Cutcherry ſhall be held a court of civil judicature; and his deciſions ſhall be deemed to be judicial awards

Second.—Provided also, that the regular suits which may be brought to contest decisions passed by collectors, under the powers vested in them by Sections XI., XII. XIV. XV. XVI. XVII. XVIII. XIX. and XX. shall be of the nature of an appeal to court in its regular jurisdiction from a summary award. It shall not therefore be necessary for the collector or other officer of Government to be a party in the action.

Third.—Collectors of the land revenue are hereby empowered to execute all awards made by them under the rules of this Regulation, in cases wherein a specific sum of money shall be adjudged to be due, or any costs or damages be awarded; the collector decreeing the same shall proceed to levy the amount for the party in whose favour it may be adjudged, by the process in use for the recovery of arrears of

Collectors authorized to execute awards made by them the Government revenue; provided, however, that he shall not sell any lands, houses, or other real property, in satisfaction of any judgment passed in favour of any individual, on a summary inquiry. In cases wherein possession of lands, houses, watercourses, or the like, may be adjudged, it may and shall be lawful for the collector making the award to deliver over possession in the same manner, and with the same powers in regard to all contempts, resistance, and the like, as are or may be lawfully exercised by the courts in giving possession to an auction purchaser; and the zillah or city adawluts shall support the collectors in the exercise of the above power, and shall give effect to any orders passed by them in pursuance of it, in the like manner as if the same had been passed by themselves. Collectors are further hereby empowered to place one or more peons, mirdahs, suwars, or the like, to aid in the maintenance of possession for the party to whom it may be awarded, in case of his deeming such a measure necessary or expedient.

Collectors authorized to depute native officers to make inquiries preparatory to ſettlement.

XXIV. *First.*—It shall and may be lawful for a collector, or other officer exercising the powers of collector, preparatory to making or revising a settlement as aforesaid, to depute any tuhseeldar, kanoongoe, aumeen, or other fixed or temporary officer, to any village or mehal, whether the same be managed by a zemindar or farmer, or be held khas, to inquire into the various matters which such collector or other officer is required or empowered to investigate, in order to form a settlement in the mode prescribed by this Regulation. Any such native officer so deputed as above shall be deemed to be vested with the power of summoning and examining putwarries, gomashtahs, or other persons by whom the accounts of the village or mehal may be kept, in the same manner and with the same powers as is provided for officers deputed under Section XXV. Regulation XII. 1817. Furthermore, in case the collector or other officer may so prescribe, the said tuhseeldar, or other person, shall be empowered to make a measurement of the village or mehal, into which they may be deputed, and to summon any mocuddums, pudhans, ryots, or other residents, and to call upon them to point out the boundaries of such village or mehal, and to furnish information as to all matters relating to the land, and the rights and interest attaching thereto; and any person contumaciously withholding information from an officer deputed as aforesaid, shall be liable, on the same being established to the collector's satisfaction, to the same penalty as is prescribed for putwarries refusing to attend or give evidence.

Reſiſtance or obſtruction of the proceſs or order of a collector, how puniſhable.

Second.—Provided also, that any person who may by force or threats obstruct or resist the execution of any legal process, requisition, or order of a collector or other revenue officer, shall, in addition to the penalties prescribed by the existing Regulations for such act, be liable to a fine not exceeding two hundred rupees, or to imprisonment in the Dewanny jail for a period not exceeding two months; the said fine or other penalty to be adjudged by the collector, after proceeding duly held and recorded, and the sentence to be immediately reported to the Board to which he may be subject.

Police officers to aid and ſupport the execution of proceſs and orders of collector.

Third.—Provided further, that all police officers shall aid and support the execution of all process and orders issued by a collector or other officer aforesaid, on the responsibility of the officer issuing or executing the same; and if any affray or breach of the peace shall occur in consequence of any resistance or obstruction being made, or attempted to be made, to the legal process or order of a collector or other revenue officer, the parties resisting or obstructing such process or order shall be punishable for the affray or breach of the peace, and the revenue officers shall not be liable to any criminal prosecution on that account.

Parties in ſuits tried by collectors, may employ any vakeels or agents they think proper.

XXV. It shall be competent to the parties in all suits, the cognizance of which is hereby vested in the collectors of revenue, to employ any agent, vakeel, or representative, whom they may think proper to appoint, to act and plead in their behalves, provided such agent, vakeel, or representative, be duly empowered by the parties. The rate of remuneration to such agent or vakeel shall be left to be adjusted between himself and his constituent, but no greater sum shall be awarded on this account for costs payable by the party against whom the judgment may be passed than what may be deemed by the collector a fair equivalent for the attendance of such agent.

What pleadings to be required.

XXVI. No other pleadings shall be required from the parties in such suits than a plaint and answer; provided, that if the parties should at any time wish to file an amended plaint or an amended answer, or any explanatory motion, such subsidiary pleadings shall be received.

XXVII. The mooktarnamas or vakalutnamas, and the pleadings and final decree in such suits, shall be written on stampt paper of the value of eight annas, whatever may be the amount of the suit; and no fees shall be taken on exhibits tendered in the cause, or for the witnesses required by the parties; nor shall it be necessary for the parties to present a written motion on stampt paper for the filing of such exhibits, or for the summoning of such witnesses.

Stamped paper to be uſed.

XXVIII. It shall be competent to the collectors to hear and determine such suits in whatever part of the district they may occasionally be or reside, provided that every hearing and decision be in public cutcherry, or in some other place open to the public, and in the presence of the parties, or of their constituted agents or vakeels, if in attendance.

Collectors may try and determine ſuits in any part of their diſtricts.

XXIX. *First.*—The decisions of the collectors on all such suits shall be appealable to the Board of Revenue, or other authority exercising the powers of that Board. The petition of appeal shall be presented either to the collector, or to the Board, at the option of the party, and shall be written on stampt paper of the value of two rupees, but no petition of appeal shall be received after the expiration of three months from the date of the decision, unless sufficient cause shall be shown for the delay to the satisfaction of the Board; provided also, that the Board shall not be required in ordinary cases to go into a regular investigation of the merits, but shall be authorized to dismiss the appeal without further investigation, in all cases in which, on a consideration of the final robucaree of the collector, they may not see ground to consider the decision of that officer to be unjust, erroneous or doubtful, or his proceedings in the case irregular or imperfect; provided also, that in all cases in which the collector may dismiss the suit for non-attendance, or on some other ground of default, without an investigation of the merits of the case, it shall be competent to the Board to direct a new trial, and in cases in which he may neglect or delay the investigation or decision of a suit without sufficient cause, it shall be competent to the Board to interfere, and to cause the collector to proceed upon the inquiry into and determination of it.

Deciſions how appealable to Boards

Board how to proceed on ſuch appeals

In what caſes Board may direct a new trial, or interpoſe to correct neglect or delay.

Second.—No pleadings, except the petition of appeal, shall be required in such appeals, nor shall any fees be taken by the Board on the exhibits originally filed, or on any further documents which the Board may think it necessary to call for.

What pleadings to be required in appeals to Boards.

Third.—If the parties choose to employ in the pleading of such appeals the same agents or vakeels who were previously employed by them in the original suit, no further mooktarnamah or vakeelutnama shall be required of them.

Fourth.—The respondent shall receive notice of the appeal, but shall not be compelled to appear in person, or by vakeel, and the appeal shall be decided on the merits of the case, notwithstanding his absence, in the same manner as if he had attended.

Reſpondents to receive notice, but not to be required to appear.

Fifth.—The decision of the Board shall be final in as far as concerns the result of the summary inquiry of the collector, and shall be rendered in a Persian robucaree written on stampt paper of the value of two rupees.

Boards deciſion to be final as to the reſult of ſummary inquiry.

Sixth.—Any person, however, dissatisfied with the summary judgment of the collector or the Board, and desirous of a more full and formal decision, shall be at liberty to prefer a regular suit to try the merits of the case in the Zillah, or other similar or superior court in which it may be cognizable. In such cases the summary judgment of the collector, if not reversed or staid by the Board, shall be carried into effect, notwithstanding the institution of the regular suit.

But deciſion of Board and Collector may be conteſted by regular ſuit in Adawlut.

XXX. All persons having claims or complaints to prefer of the nature of those made cognizable by collectors under the provisions of this Regulation, and not wishing to avail themselves of the summary process authorized in that court, shall be at liberty to institute their claims or complaints in the first instance, by a regular suit before the local moonsiff, or in the Zillah or City Adawlut, or Provincial Court of the division, according as the suit may be cognizable in these courts respectively, under the general Regulations for the administration of civil justice.

Parties having claims cognizable by collectors, and not wiſhing a ſummary trial, may in the firſt inſtance bring a regular action in the Adawlut.

XXXI.—*First.* Whenever a regular suit may be instituted in a civil court, with a view to set aside or alter a summary judgment passed by a collector, the proceed-

On appeal to a court againſt the deciſion of a collector, the proceedings held by that officer ſhall be called for and filed in the caſe.

ings held on the summary inquiry shall be called for by precept from the court, and filed on the record of the case.

No ſuch appeal cognizable by, or referrible to any regiſter, ameen, or moonſiff.

Second.—Provided also, that no such suit shall be cognizable by, or referrible to, any register, sudder ameen, or moonsiff; and all registers, sudder ameens, and moonsiffs, shall in cases tried by them be held and bound by the decisions passed, and record prepared, by collectors or other revenue officers under the provisions of this Regulation, unless the same shall have been rescinded or altered by the Board, or by the zillah, or other similar or superior court on a regular suit.

Periodical Reports to be furniſhed by collectors to Boards

XXII. The collectors shall transmit to the Boards such periodical reports of the causes decided by, or depending before them, as the Boards may direct, and the Boards will also furnish to Government such abstracts of those reports, and such reports in the cases received and determined by them in appeal, as the Governor General in Council shall from time to time require.

Collectors authorized to refer certain caſes to arbitration

XXXIII. *First.*—It shall be competent to collectors, or other officers exercising the powers of collectors, to refer to arbitration any disputes cognizable by them under the provisions of this Regulation, as well as any questions or disputes of any kind respecting land or the tenures therein, or the rights dependent thereon that may come before them, provided the parties consent to that mode of adjustment, and on award being made, to cause the same to be executed. In referring cases to arbitration under the above provision, and in their general proceedings relative to such suits, the collector shall be guided by the rules contained in Regulation XVI. 1793, and the other corresponding enactments, and in Regulation VI. 1813, in so far as the same may be applicable, and shall be competent to vest in the arbitrators the same powers and authority in regard to the summoning and examination of witnesses, and the administration of oaths, and to enforce the orders passed by the arbitrators under such powers, in the same manner as the courts of judicature are empowered to do; and all awards made on such references shall, when confirmed by the collector, have the same force and validity as a regular decree of the Adawlut, and shall not be liable to be reversed or altered, unless the award shall be open to impeachment on the ground of corruption, or gross partiality, or shall extend beyond the authority given by the submission of the parties, and such ground of impeachment shall be established in a regular suit in the zillah, city or other superior court, wherein the case may be cognizable.

Force of awards paſſed on ſuch reference

Matter of arbitrament to be diſtinctly ſpecified in collector's proceedings

Second.—In referring any dispute to arbitration, the collector shall be careful to specify in his proceedings, and in the deed of arbitration to be executed by the parties, the precise matter submitted to the arbitrators, and if the award first made by the arbitrators shall not include all the points submitted to them, or shall be otherwise incomplete, it shall be competent to the collector again to refer the matter to them, with directions to perfect their award.

Canoongoes and tehſeeldars may be employed as arbiters

Third.—The pergunnah canoongoes and tehseeldars may be appointed arbitrators in any case referred to arbitration under the above rules; any thing in the existing Regulations notwithstanding.

Collectors in what caſes to interfere of their own motion in caſes of diſputed poſſeſſion.

XXXIV. *First.*—When a collector, or other officer exercising any of the powers vested in collectors by the rules of this Regulation, relative to complaints of dispossession, or disturbance of the possession of lands or premises, shall learn, either by a reference from the magistrate, or by a report from any other public officer or otherwise, that any disputes exist within the tract placed under his jurisdiction relative to any lands, premises, crops, orchards, pasture grounds, fisheries, wells, watercourses, tanks, reservoirs, or the like, likely to terminate in the breach of the peace, it shall and may be lawful for the collector, or other officer aforesaid, to require the contending parties to attend in person, or by representative, at a stated time and place, and after investigating the case in the presence of the parties, or their representatives, or such of them as may attend, or referring it to arbitration as above prescribed, to decide the case in the same manner as if it had been brought before him by the complaint of one of the parties; provided also, that if the fact of previous lawful possession cannot be ascertained, it shall be competent to the collector, subject to the orders and direction of the Board, to decide on the question of right, and to give possession to one of the contending parties, leaving the other party to contest the decision by a regular suit in court; but no such decision shall be passed

And to give poſſeſſion to one of the contending parties.

by any collector until he shall have instituted a careful inquiry into the fact of possession, and the Board shall be careful to see that this restriction is observed; provided further, that in such cases it shall be competent to the collector to attach the disputed lands, premises, &c. as aforesaid, and to appoint an officer to the management of the same, retaining in deposit the rents and produce, or such portion thereof as may remain after discharging any public revenue demandable therefrom, with the charges of management, until one of the contending parties shall be placed in possession.

Collector may attach diſputed lands, &c.

Second.—Whenever any Magistrates or joint Magistrates shall have before them any suit, complaint, or information relative to any dispute regarding lands, premises, crops, watercourses, or the like, which may appear likely to terminate in a breach of the peace, or which it may otherwise be desirable to bring to an immediate decision, it shall be the duty of such Magistrate or joint Magistrate, in cases in which the collector shall be vested with the cognizance of such actions, to certify the case to that officer, and the collector will then forthwith proceed to investigate and determine the case under the rules above prescribed; provided also, that in all cases of forcible dispossession, or forcible disturbance of possession, the collector shall invariably transmit to the Magistrate or joint Magistrate a copy of the first proceeding held by him in the case, and also a copy of the robucaree containing his final award.

Magiſtrates and joint magiſtrates in what caſes to refer diſputes to collector

Third.—The collector shall in all such cases use every proper means for inducing the parties to refer their disputes to arbitration, in like manner as the Dewanny courts are directed to do.

Collector to encourage arbitration

XXXV.—Whenever the term 'Board of Revenue,' or 'Board of Commissioners,' may occur in this or any other Regulation, the same shall be held and considered to apply to any Board, Committee or Commission, and to any member of such Board, Committee or Commission, that may be vested by the Governor General in Council with the powers and authority of the Board of Revenue, save and except in so far as may be otherwise specially declared and provided. In like manner all rules in this or any other Regulation, whereby any duties or powers may be prescribed for, or vested in collectors, shall be held and considered to be equally applicable to any officer exercising the authority of collector under the orders, or with the sanction of the Governor General in Council.

Meaning of the term Board of Commiſſioners, &c. as uſed in this and other Regulations

Rules regarding collectors, to apply to any officer exerciſing authority of collector under orders from Government.

A. D. 1822. REGULATION VIII.

A REGULATION to declare that Persons charged with crimes and misdemeanors must ordinarily be brought to trial at the Foujdaree Court, or Sessions of the district in which such crimes or misdemeanors may be perpetrated; and to vest the Governor General in Council, and the Nizamut Adawlut, with a discretionary power as to the place of trial:—Passed by the Governor General in Council on the 12th September 1822, corresponding with the 28th Bhadoon 1229 Bengal era; the 11th Assin 1230 Fussily; the 29th Bhadoon 1230 Willaity; the 12th Assin 1879 Sumbut, and the 25th Zeilhijah 1237 Higeree.

ALTHOUGH the Regulations of Government contain no specific provision to the effect, it is nevertheless an established principle of law and usage, that persons charged with criminal offences shall (save under special ground of exception) be tried for the same in the Foujdaree Court, or at the sessions of jail-delivery held for the zillah or city within the jurisdiction of which the acts charged may have been committed. In some cases, however, a rigid adherence to this principle is productive of great inconvenience to parties and witnesses, and in its consequences obstructs the course of justice; moreover, there are circumstances in which it is desirable, for political reasons, that a trial shall be removed from one district in order to be brought on at some other, where it can be more safely or expeditiously conducted. Instances have occurred in which trials have heretofore been removed for such causes, but the existing Regulations are defective, inasmuch as, besides containing no specific declaration of the general principle, they do not sufficiently provide for the course to be adopted where special grounds of exception may exist. It has consequently been deemed necessary as well to declare the principle

Preamble.

as to provide by a specific enactment for the exercise by the Governor General in Council, and by the Nizamut Adawlut, of a dispensing power in regard to the place at which prisoners shall be brought to trial for the offences with which they may be charged. It has likewise been deemed advisable to declare specifically the competency of the Governor General in Council to determine where, and in what manner, jail-deliveries shall be held for districts or portions of districts placed temporarily or permanently under the authority of joint Magistrates, or other similar officers. The following rules have accordingly been enacted, to be in force from the date of their promulgation throughout the territories immediately subordinate to the Presidency of Fort William.

Nothing in exiſting Regulations to empower magiſtrates to paſs ſentence, or commit for trial, by the Court of Circuit, for offences committed out of their juriſdiction.

Except under authority of Government, or of the Nizamut Adawlut

If the offence charged be perpetrated beyond juriſdiction, the magiſtrate to ſend proceedings, parties and witneſſes, to the magiſtrate of the diſtrict in which it was perpetrated.

But may ſuſpend for ſpecial reaſons, and refer the caſe to the Nizamut Adawlut for orders as to place of trial.

Above rule not to interfere with Regulation V. 1809, and Section VI. Regulation I. 1822.

II. In explanation of the rules contained in Sections V. and VI. Regulation IX. and Section XVI. Regulation XXII. 1793, together with the corresponding rules for Benares, contained in Section IV. Regulation XVI. and Section XV. Regulation XVII. 1795, and those for the ceded and conquered provinces, contained in Sections V. and VI. Regulation VI. and Section XVI. Regulation XXXV. 1803, and generally of the rules applicable to the limitation of the jurisdiction to be exercised by Magistrates in the cognizance of criminal charges, and in the trial or commitment of prisoners upon the same, it is hereby declared, that nothing contained therein shall be deemed or construed to empower a Magistrate to try and pass sentence, or to commit for trial at the Sessions of jail-delivery for his district, any person or persons charged with an offence not perpetrated within its limits, except under special authority of the Governor General in Council, or of the Nizamut Adawlut. Should, therefore, proceedings have been instituted by any Magistrate against any person or persons residing within his jurisdiction, on account of an offence perpetrated beyond its limits, or should it appear in the course of the investigation of any case, that the act charged was not perpetrated within the limit of the Zilla or City, but in some other jurisdiction, it shall be the duty of the Magistrate who may have commenced proceedings, or who may be conducting the investigation, to send over the parties and witnesses, together with all the proceedings he may have held thereon, to the Magistrate of the district within which the crime may appear to have been committed, in order that the parties may be there dealt with according to law; provided, however, that in case the immediate adoption of this course should be attended with very great inconvenience to the parties and witnesses, or in case there should be other circumstances to make it desirable, in his opinion, that the trial should be brought on or completed at the station at which the proceedings may have been instituted, it shall be competent to the Magistrate to suspend the transfer above prescribed, and to report the circumstances, for the orders of the Nizamut Adawlut: Provided further, that nothing contained in this Section shall be held or deemed to interfere with the course prescribed by Regulation V. 1809, and Section VI. Regulation I. 1822, for the trial and sentence of persons committing offences beyond the frontier of the Company's territories.

It ſhall be competent to the Governor General in Council to order a trial to be conducted at any ſtation, other than that of the diſtrict where the offence was perpetrated.

And to iſſue orders to magiſtrates for the purpoſe.

Notice to be given to Nizamut Adawlut and Court of Circuit, who will be bound to proceed with the trial, &c. where ordered.

III. *First.*—It shall be competent to the Governor General in Council, whenever he shall see sufficient reason for ordering the trial of any person or persons charged with a criminal offence to be conducted in a different zilla or city from that in which the act may have been perpetrated, to issue his instructions to that effect, and the Magistrate of the zilla or city in which the trial is to be conducted, as well as the Magistrate of the district from which the case is to be transferred, shall be bound, on the receipt of orders for the purpose under the official signature of a Secretary to Government, to proceed to bring the party to trial at the place fixed therein, in the same manner as if the offence charged had been committed within that jurisdiction. Notice of every such order shall be immediately given to the Nizamut Adawlut, and to the Court of Circuit for the division within which it is intended, that the trial shall take place, and those Courts shall be bound to proceed under the existing Regulations, in the same manner as if the trial had been brought on in its proper district.

It ſhall be competent to the Nizamut Adawlut, to order removal of a trial when the ends of juſtice, or convenience of parties, may be promoted thereby.

Official letter of the Regiſter to be authority for the ſame.

Second.—In the like manner, it shall be competent to the Nizamut Adawlut to order a trial to be brought on at the station or jail-delivery of any zilla or city Magistrate, other than that of the district within which the crime may have been perpetrated, whenever, either from the Magistrate's representation, or from other information, it shall appear to the Court, on substantial grounds, to be recorded on their proceedings, that such measure will promote the ends of justice, or tend to the general convenience of the parties and witnesses without hindrance thereto. An order under the official signature of the Register of the Court shall be sufficient authority for the Magistrate and Court of Circuit to proceed to the trial; any thing in the existing Regulations to the contrary notwithstanding.

IV. When a trial shall be removed from one zillah, to be conducted or completed in another, in consequence of an order of Government or of the Nizamut Adawlut, under the discretionary powers reserved in the preceding Section, or when a trial shall be ordered to be carried on in the district where the proceedings may have been instituted, instead of being transferred to that in which the crime was perpetrated, the Magistrates of the several districts, having relation to the case, shall be bound to conform to any instructions they may receive from the authority issuing the orders, and the trial held and sentence passed in consequence, shall be of the same legal effect as if the whole had been conducted at the station of the district within which the crime was perpetrated.

In caſe trial in a different zilla from that of perpetration be ordered by Government, or the Nizamut Adawlut, magiſtrates bound to conform to inſtructions of the authority ordering the ſame.

V. The foregoing rules, in so far as they apply to the Magistrates, will of course be equally applicable to Joint Magistrates, to the superintendents of Police, and to all other officers exercising the function of Magistrate.

Above rules equally applicable to Magiſtrates, joint Magiſtrates, Superintendents of Police, &c. as to Magiſtrates

VI. It is hereby declared, that in case of an officer being vested with magisterial powers, and deputed permanently or temporarily to exercise them within a portion of a district, or of an officer's being placed in charge of a tract of country comprising portions of several jurisdictions, it shall in such case be competent to the Governor General in Council, at the time of creating such an authority, or at any time subsequently, to determine and prescribe, by an order under the official signature of a Secretary to Government, at what station and in what manner prisoners committed to take their trial before the Court of Circuit for offences perpetrated within the limits assigned to such officer, shall be brought to trial for the same. Notice of every such determination will of course be given to the Nizamut Adawlut, and that Court shall be bound to take the necessary steps to carry the same into execution.

Declaration that in caſe a joint Magiſtracy or the like be created, Government ſhall be competent to ſettle how and where its Seſſions of Jail-delivery ſhall be held. Notice to be given to Nizamut Adawlut, who will carry the ſame into execution.

A. D. 1823. REGULATION IX.

A REGULATION to extend the rules of Regulation V. 1809, and of Section VI. Regulation I. 1822, to Emigrants from foreign states, and other aliens settled in the British territories, or living and residing therein for a period of six months and upwards; also to provide for the execution by Zilla and City Magistrates, of Sentences passed by Tribunals established by Government in Countries not subject to the general Regulations:—Passed by the Governor General in Council on the 19th September 1822; corresponding with the 4th Assin 1229 Bengal era; the 18th Assin 1230 Fussily; the 5th Assin 1230 Willaity; the 4th Assin 1879 Sumbut, and the 2d Mohurrum 1238 Higeree.

THE rules of Regulation V. 1809, and of Section VI. Regulation I. 1822, for the cognizance of offences committed beyond the frontier, are subject to the restrictions contained in Section II. Regulation VIII. 1813, which provides that "the " said rules shall be considered applicable to the three following classes of persons, " and to no other."

Preamble

First.—" Natural-born subjects of the British Government in India. *Second.* " Natives of India who may have become subjects of the British Government in " India, by the conquest or cession of the places in which they were born, for acts " done by them subsequently to the period of such conquest or cession. *Third.* " Natives of the foreign states of India, in the Civil or Military Service of the " British Government in India, while actually in such service, and during six " months after they shall have quitted the British territories; or (supposing them " to be stationed out of the limits of the British territories) after they shall have " quitted the service." In consequence of these restrictions there exists at present no legal method of bringing aliens and others, not specified in the above rule, to justice for offences committed by them beyond the frontier; nor is there indeed any mode of proceeding against them except to surrender them to the officers of the state within which the crime may have been perpetrated. Since, however, it is manifestly expedient that the Government should possess the same discretionary power of bringing all persons residing and living under the protection of its laws to trial by the established Courts for such offences, the Governor General in Council has determined, to extend the provisions of Regulation V. of 1809, and Section VI. Regulation I. 1822, to all persons whatsoever, other than British-born subjects of His Majesty, who shall have lived and resided for six months in the territories immediately subordinate to the Presidency of Fort William, or have otherwise settled therein, and become subject to its Government. It has likewise been deemed expedient to provide, by a legislative provision, for the execution by the several Zilla and City Magistrates of sentences passed by tribunals established for the administration of criminal justice in newly acquired countries, or in territories not subject to the operation of the general Regulations; and the following rules have accordingly been enacted, to be in force from the date of their promulgation:

The rules contained in Regulation V 1809, and Section VI. Regulation I 1822, are declared applicable to foreigners and others ſettling or reſiding for ſix months within the Company's territories

II. In addition to the classes of persons specified in Section II. Regulation VIII. 1813, the rules of Regulation V. 1809, and of Section VI. Regulation I. 1822, are hereby declared to be applicable to all persons whatsoever, other than British-born subjects of His Majesty, who being resident within the Company's frontiers may have purchased any lands, or other immovable property, or hired the same for any period exceeding six months, or who may have otherwise fixed or may hereafter fix their residence in the Company's territories with the intention of settling therein, or who may in any manner have lived and resided therein for a period of not less than six months.

The Zilla and City Magiſtrates declared competent to give effect to ſentences paſſed by the Criminal Courts in territories not ſubject to the operation of the general regulations.

III. *First.*—The several Zilla and City Magistrates are hereby declared to be competent to give effect to any sentence that may be passed by the criminal courts established, or that may be established under orders from the Governor General in Council, for the administration of criminal justice in territories appertaining to the Honourable Company's dominions, but not subject to the operation of the general regulations.

A warrant under the official ſeal and ſignature of the officer exerciſing criminal juriſdiction, declared to be a ſufficient authority for the confinement, tranſportation, or puniſhment of a priſoner.

Second.—A warrant, under the official seal and signature of the officer or officers exercising criminal jurisdiction within such territory, shall be sufficient authority for holding any prisoner in confinement, or for transmitting any prisoner for transportation beyond sea, or for inflicting any punishment defined and prescribed therein.

In caſes of doubt as to the legality of ſuch warrant, or the competency of the officer by whom it may have been iſſued, a reference to be made to the Governor General in Council, and in the mean time the priſoner to be detained in cuſtody

Third.—In the event of any doubt being entertained as to the legality of any warrant sent to be executed by any Zilla Magistrate, or as to the competency of the person or persons whose official seal and signature may be affixed thereto to pass the sentence and issue such warrant, a reference of the point shall be made to the Governor General in Council, by whose order on the case the Magistrates and all other public officers shall be guided as to the future disposal of the prisoner: pending any such reference, the prisoner or prisoners shall be detained in custody, in such manner and with such restrictions or mitigations as may be specified in the warrant.

The rules in force for the treatment and ſecurity of priſoners confined in gaols declared equally applicable to the caſes of priſoners confined under this Section.

Fourth.—The provisions of the existing Regulations, and all other rules in force for the treatment and security of prisoners confined in the jails of this Presidency, shall apply and be of equal force and effect in the case of prisoners confined under this Section, as of other convicts detained under sentences of the criminal courts passed under the Regulations in force.

A. D. 1822. REGULATION X.

A REGULATION for exempting the Garrow Mountaineers, and other rude tribes on the North-Eastern frontier of Rungpore, from the operation of the existing Regulations; and for establishing a special system of Government for the tract of country occupied by them, or bordering on their possessions:—Passed by the Governor General in Council on the 19th September 1822, corresponding with the 4th Assin 1229 Bengal era, the 18th Assin 1230 Fusly; the 5th Assin 1230 Willaity; the 4th Assin 1879 Sumbut; and the 2d Mohurrum 1238 Higeree.

Preamble

THERE exist in different parts of the territories subordinate to the Presidency of Fort William races of people entirely distinct from the ordinary population, and to whose circumstances therefore the system of government established by the general regulations is wholly inapplicable.—Such were the Mountaineers of Bhaugulpore,

gulpore, for the reclaiming of whom to the arts of civilized life special arrangements were made by Government with the chiefs, some time before the introduction of the present system. These arrangements still subsist, having been incorporated into the code by the provisions of Regulation I. 1796, under which an entirely distinct system has been established for the administration of justice amongst the inhabitants of that mountainous tract. Savage tribes, in some respects similar, exist on the North-East frontier of Rungpore, of which the race denominated Garrows, and occupying the hills called after them, are the principal. As yet little has been done to reclaim or civilize these people. The reciprocal animosity which subsists between them and the inhabitants of the cultivated country, prevents any extensive intercourse of a pacific nature; while on the contrary their mutual injuries have produced feuds leading frequently to disturbance and bloodshed. The zemindars of the frontier have, there is reason to believe, usually been the aggressors by encroaching on the independent territory of the Garrows and similar rude tribes, until, despairing of other resource, the latter are driven to seize occasions of private revenge and retaliation. These encroachments having been of long standing, several zemindars were, at the time of the perpetual settlement, in the receipt of incomes derived from cesses of various kinds levied from the tribes, and hence a portion of the tract of country occupied by them has been considered to lie within the operation of the general regulations as forming part of the zemindarees. This however, instead of conducing to reclaim the tribes to civilized habits, has rather had a contrary effect, the system being totally inapplicable to their savage and secluded condition, and being calculated to leave them at the mercy of the zemindars, rather than to offer any substantial means of redress. The condition of the Garrow Mountaineers, and of the other rude tribes on that frontier has, for some time past, attracted much of the attention of the Governor General in Council, and the circumstances which have conduced to check the progress of civilization amongst them have been fully investigated and ascertained. With a view, therefore, to promote the desirable object of reclaiming these races to the habits of civilized life, it seems necessary that a special plan for the administration of justice, of a kind adapted to their peculiar customs and prejudices, should be arranged and concerted with the head men, and that measures should at the same time be taken for freeing them from any dependence on the Zemindars of the British provinces; compensation being of course made to the latter for any just pecuniary claims they may have over them. Preparatory to the execution of measures adapted to this end, it has been deemed indispensable to suspend the operation of the existing rules for the administration of civil and criminal justice, and generally of the Regulations of Government within the tract of country comprised in or bordering on the hills and junguls occupied by these tribes, and to appoint a Commissioner with full power to conclude arrangements with the chiefs, and to conduct the entire administration of the tract in question, subject only to such orders and instructions as he may receive, from time to time, from the Governor General in Council. The following rules have accordingly been enacted, to take effect from the date of their promulgation, in the manner and within the limits therein described:

II. The tract of country now comprised in the Thannah jurisdictions of Gwalpara, Dhoobree, and Kurreebaree, in the district of Rungpore, is hereby declared separated from the said district; and the operation of the rules for the administration of the police and of civil and criminal justice, as well as those for the collection of the land revenue, customs, abkaree, and stamp revenues, together with all other rules contained in the Regulations printed and published in the manner prescribed by Regulation XLI, 1793, are suspended, and shall cease to have effect therein from the date of the promulgation of this Regulation, except in so far as may be hereinafter provided.

Separating the tract of country compriſed in the Thannas of Gwalpara, Dhoobree and Kurreebaree from the juriſdiction of the diſtrict of Rungpore, and declaring the operation of the exiſting Regulations to be ſuſpended, except ſo far as provided hereafter.

III. The administration of civil and criminal justice, the collection of the revenue, the superintendence of the police, and every other branch of government within the tract above described, are hereby declared to be vested in an officer appointed by the Governor General in Council, and denominated the Civil Commissioner for the North-Eastern parts of Rungpore; the said officer shall conduct the same agreeably to the principles and spirit of the existing Regulations, subject to the restrictions and modifications hereinafter provided, and to such other alterations and amendments as may from time to time be ordered by the Governor General in Council.

A Civil Commiſſioner appointed for the north-eaſt parts of Rungpore above deſcribed, veſted with the powers of adminiſtering civil and criminal juſtice, the collection of revenue and the ſuperintendence of the police in the manner preſcribed in this Regulation.

Commiſſioner to exerciſe the functions of magiſtrate, and to have criminal juriſdiction in the trial and ſentence of perſons charged with offences to the extent of a Circuit Judge, but no Futwa to be required.

IV. *First.*—In the administration of criminal justice, the Commissioner shall be competent to exercise all the functions and authorities now exercised by magistrates in respect to the apprehension and trial of persons charged with offences; and further to hold trials and pass sentence to the extent permitted by the Regulations to a judge of circuit; but without reference of the proceedings for Futwa to a Mahomedan law-officer.

Commiſſioner and other officers acting under his control, ſhall ordinarily conform to the principles and ſpirit of the Regulations applicable.

But ſhall obey and conform to all ſpecial rules, and orders of Government.

Reſervation to the Governor General in Council of the power of regulating ſundry matters connected with the Commiſſioner's criminal juriſdiction.

Second.—In the exercise of the powers and authorities above conveyed to the Commissioner, he shall ordinarily conform to the principles and spirit of the Regulations applicable to such subjects; so likewise the police officers, and all other officers acting under his control: Provided however, that the Commissioner and all such officers shall be bound to conform to any special rules or orders that may from time to time be issued by the Governor General in Council, for regulating the process before trial, or the forms of trial to be observed in the case of different classes of the population, and the same shall be to all intents and purposes legal and valid. Moreover it shall be competent to the Governor General in Council to extend, limit, or modify any part of the authority to be exercised by police officers, and likewise to confer on the Commissioner the power of granting conditional pardon to accomplices without previous reference to the Nizamut Adawlut, as required by the existing Regulations, or in any other way to extend or modify the magisterial and judicial functions vested in the Commissioner by the preceding clause of this Section. An order or resolution of Government, under the official signature of a Secretary to Government, shall be sufficient authority for such modification; any thing in Regulation XLI. 1793, or in any other Regulation of Government, to the contrary notwithstanding.

Proceedings in the trial of certain caſes to be referrible to the Nizamut Adawlut before final ſentence being paſſed by the commiſſioner.

Third.—If the Commissioner shall deem an offender brought to trial before him to be liable to a punishment exceeding that which by the existing Regulations a Judge of Circuit is competent to adjudge, without referring the case to the Nizamut Adawlut, he shall not pass any final sentence thereon, but shall transmit to the Nizamut Adawlut the record of the proceedings held on the trial, together with a full English report of the circumstances of the case, and of his opinion as to the guilt or innocence of the prisoner or prisoners tried, as likewise an explanation of any special custom of the parties or witnesses that may be necessary to the proper understanding of the proceedings.

The Nizamut Adawlut how to paſs judgment in ſuch caſes.

V. Upon the receipt of any trial referred by the Commissioner under the preceding Section, the Nizamut Adawlut shall, without submitting the proceedings for the futwa of their officers, proceed to pass a final judgment, or such other order as may, after mature consideration, seem to the Court requisite and proper, in the same manner, with exception to the requisition of a futwa, as if the trial had been sent up in ordinary course from a judge on circuit.

Power of the commiſſioner in adminiſtering civil juſtice.

VI. In the exercise of the duty of administering civil justice within the tract defined in Section II. of this Regulation, the Commissioner shall hold a Court, and proceed, in cases wherein persons not of the race of Garrow Mountaineers, or other rude tribes are exclusively concerned, according to the existing Regulations, subject to the modifications provided for by this Regulation, observing as far as practicable the rules prescribed for Zillah Judges holding and presiding in the Adawluts of the country; provided however, that there shall be no limit to the amount for which a suit shall be cognizable by the Commissioner, and an appeal from his judgment shall not lie to the Provincial Court. If the stake or interest involved (calculated according to the rule contained in Section XIV. Regulation I. 1814,) do not exceed in amount or value the sum of 5000 sicca rupees, the decision passed on the case by the Commissioner shall be final. If the interest involved, calculated as above, exceed in value or amount the sum of 5000 rupees, an appeal shall lie in such cases direct to the Sudder Dewanny Adawlut, who will proceed in the hearing and adjudication thereof, in the same manner as in the case of appeals entertained by the Court from judgments of the Provincial Courts of Appeal. The Sudder Dewanny Adawlut shall likewise be competent to grant a special appeal in cases of a less amount than 5000 rupees, should there appear, either on the face of the decree, or from circumstances established to the satisfaction of the Court, substantial reason for concluding that there has been a failure of justice in the award of the Commissioners.

Suits exceeding in amount Rs. 5000 to be appealable to the Sudder Dewanny Adawlut.

Special appeal allowed, if under 5000 rupees.

VII. If the parties in a civil action be Garrow Mountaineers or of any other similar rude tribe, or if either of them be of that description, the form and process that may be sanctioned and prescribed by the Governor General in Council shall be adopted in the trial and adjudication of the matter at issue, and in the execution of the award; and any civil judgment that may be passed according to such form shall have full authority and effect in the same manner as a decree passed by a competent court of final jurisdiction.

The proceſs and form of trial in civil actions between Garrows, and the like, or in which one of the parties may be of this deſcription, to be as preſcribed by the Governor General in Council.

VIII.—*First.* In the conduct of the revenue duties of the tract of country placed under the Commissioner, as well those relating to the customs, abkaree, stamps, and other miscellaneous items, as to the land revenue, the Commissioner shall observe the rules and principles of the general regulations, with such limitations and restrictions, as to the authority to be exercised by himself, as may be provided in the instructions he may receive from time to time from the Governor General in Council; provided however, that it shall be competent to the Governor General in Council to direct the separation, temporarily or permanently, of any tract of country occupied by Garrow Mountaineers or other rude tribes from the estates of any neighbouring zemindars to which the same may now be claimed to be attached; also to discontinue the collection by zemindars or others of any cesses, tributes or exactions, on whatsoever pretence the same may be levied from such people, and to make arrangements either for the remission of the same, or for their collection direct by the officers of Government, making such compensation to zemindars or others justly entitled thereto for the relinquishment of the same, as may to him seem most equitable and proper.

Rules under which the commiſſioner ſhall conduct the Revenue duties in the tract of the country placed under his control.

Proviſo, declaratory of the competency of Government to ſeparate tracts occupied by Garrows or the like from Zemindarees, and to diſcontinue the levy of ceſſes or the like, giving compenſation when juſtly due.

Second.—No suit or action shall be entertained by any Civil Court having jurisdiction, or that may hereafter have jurisdiction, within the tract of country subject to the authority of the Commissioner, on account of any act of the above description done under the authority of the Governor General in Council.

No ſuit ſhall be entertained by any civil court within the tract of country ſubject to the commiſſioner on account of acts done as above.

IX. In all matters connected with the tract of country specified in Section II. or with the races of mountaineers and rude tribes above described, if from the want of any special provision, or from doubts as to the applicability of the rules in existence, any difficulty shall arise as to the course to be pursued, a reference shall be made to the Governor General in Council, to whom it shall be competent to prescribe, by an order under the official signature of a Secretary to Government, what specific measures shall be adopted in the particular instance, as well as to annul, modify, and explain any existing rules or orders.

All queſtions regarding the application of the rules in matters connected with the tract of the country deſcribed in Section II. of this Regulation, ſhall be referrible to the Governor General in Council.

A. D. 1822. REGULATION XI.

A REGULATION for modifying and explaining the existing Regulations relative to the sale of Land for the recovery of arrears of Revenue; for declaring Government not to be liable for any errors or irregularities in the proceedings of the Courts of Justice; and for making further provision for the conduct of the Revenue Officers in certain cases:—Passed by the Governor General in Council, on the 22d November 1822; corresponding with the 8th Aughun 1229 Bengal era; the 23d Kartick 1230 Fussily; the 9th Aughun 1230 Wilaity; the 8th Kartick 1879 Sumbut, and the 7th Rubee-ul-awul 1238 Higeree.

Preamble.

THE existing Regulations relative to the public sale of estates for the recovery of arrears of Revenue appear to be defective, inasmuch as they do not specify the conditions which are to be held necessary to the validity of such sales, nor define, with sufficient precision and accuracy, the nature of the interest and title conveyed to the persons purchasing estates so sold; various doubts have accordingly arisen on both these questions, which it appears necessary and proper to remove by a legislative enactment; and it is also expedient further to regulate the course of proceeding to be hereafter followed in regard to sales of the above description, in order better to guard against error or irregularity in the conduct of them. With the view too of securing the zemindars from the risk of that injury and hardship which experience has shown must, in many individual cases, result from the absolute confirmation of sales in all cases in which the prescribed conditions may have been observed, it has appeared desirable, distinctly to vest the Revenue Boards with the power of annulling sales made by the collectors under their authority, not only in cases in which they may appear to have been irregularly conducted by those officers, but also in cases in which the defaulter may clearly appear to have been defrauded or deceived by his own agents, or in which the confirmation of the sale may from any cause appear to be a measure of excessive severity, or to be otherwise inexpedient or improper; cases also have occurred in which the revenue officers of Government having been executively employed in giving effect to orders issued by the Zillah Adawluts, which the decision of the superior Courts has declared to be irregular and illegal, Government has been held responsible for the acts done by the said officers in virtue of the orders aforesaid, contrary to the real intent and meaning of the existing law, and it has therefore become necessary to declare, that Government is not liable for any errors or irregularities in the proceedings of the Courts of Justice, whether the revenue officers may or may not be employed in giving effect to the proceeding or order deemed to be erroneous or irregular. It has further appeared expedient to make certain other additions and modifications in the Regulations prescribed for the conduct of the revenue officers. With a view therefore to the above objects, the following rules have been enacted by the Governor General in Council, to be in force from the date of their promulgation throughout the Provinces of Bengal, Behar, Orissa and Benares, and in the Ceded and Conquered Provinces, including the district of Cuttack.

Certain parts of the exiſting Regulations reſcinded.

II. *First.*—Sections XIII. XXV. XXVI. XXVII. and XXVIII. Regulation XIV. 1793. Sections XIX. XXIX. XXXII. XXXIII. XXXIV. Regulation VI. 1795. Regulation V. 1796. Section XXVIII. and Clauses II. III. IV. and V. Section XXIX. Regulation VII. 1799. Sections III. V. VI. VII. and XI. Regulation I. 1801. Sections II. III. IV. V. VI. VII. VIII. IX. X. XI. XIII. XIV. Regulation XXVI. Clause V. Section XVII. and Sections XIX. and XXIX. Regulation XXVII. 1803, and Regulation XVIII. 1814, are hereby rescinded.

Further proviſions reſcinded.

Second.—Regulation XII. 1796, and Regulation V. 1800, in so far as the same are applicable to public sales for the recovery of arrears of Revenue, together with such parts of Sections III. XXIV. and XXV. Regulation XIV. 1793, Sections VII. and XXXI. Regulation VI. 1795. Section XXIII. Regulation VII. 1799. Section XXXI. Regulation XXVII. 1803, and of any other of the Regulations in force which prescribe, or shall be construed to prescribe, that the revenue officer shall issue any Tullub Chittee, Dustuk, or other process of demand on persons from whom arrears of Revenue, or other demands similarly recoverable, may be due, or that they shall attach the estates or farms in the possession or management of such defaulters, before bringing their property to a public sale as well as such part of the above-mentioned and any other Regulations which restrict, or can be construed to restrict, the powers of the revenue officers in selecting lands for sale on account of arrears of public revenue, or the period of sale, and which may not be re-enacted by this Regulation, are hereby rescinded.

Rules reſcinded or modified by the ſaid rules, or proviſions ſtill to be repealed or modified as heretofore.

Third.—The several rules and enactments rescinded, or modified by the provisions above recited, or any of them, shall be and continue repealed, or modified as heretofore.

Declaration as to the liability of lands to public ſale for arrears of revenue.

III. *First.*—The Regulations of Government having made the estates of proprietors under engagements with Government primarily answerable by public sale for any arrear in the monthly payments of the Revenue, as defined in Section II. Regulation III. 1794, and in the corresponding enactments of the Regulations applicable to Benares, and to the Ceded and Conquered Provinces, and the property of all persons under stipulations with Government, whether as proprietors for their own estates, or as farmers or managers, and their sureties, being likewise answerable for such arrears, it is hereby declared and provided, that the Collectors of land revenue shall, with the sanction of the Board of Revenue, or other authority exercising the powers of that Board, be entitled to have recourse to this process for the realization of any arrear, or interest thereon, or other revenue demand that may be due from parties so under engagements, whether any other revenue process shall, or shall not have been issued, and at any time of the year when the same may be unpaid, subject only to such rules and restrictions as are specifically prescribed in this, or any other Regulation.

Second.

Eſtates while under Court of Wards not liable to ſale

Second.—Estates under the superintendence of a Court of Wards shall not be liable to sale for arrears accruing during the period they may be so managed.

Joint eſtates and eſtates under attachment, only to be ſold at the end of the year

Third.—Joint estates shall not be liable to sale for arrears that may accrue during the progress of a butwarra or partition, until the expiration of the year within which the arrear may become due. In like manner, estates under attachment by order of the Courts of Justice shall not be liable for sale in the middle of the year, for arrears accruing during the period of such attachment.

Further reſtrictions in regard to ſale of lands may be exerciſed by Government and by Boards, and Government may annul ſales at any time within three years, if made in contravention of ſuch inſtructions.

Fourth.—Provided further, that it shall be competent to the Governor General in Council to impose on the Revenue Boards and subordinate Revenue Authorities, such further restrictions in regard to the sale of lands for arrears of revenue as may from time to time appear necessary; and if any sale shall be made by any collector or other officer in contravention of an order or instruction issued by Government, such sale, though not voidable under the provisions of Section V. shall nevertheless be liable to be annulled by the Governor General in Council at any time within three years of the date of sale.

Sales for arrears of Revenue, to be made by revenue officers.

And not to be annulled except on ground ſpecified.

IV. Sales of land for arrears of revenue shall be made under the following rules by the collectors of revenue, or other officers authorized in that behalf by Government, and no sale made in conformity with the said rules, and duly confirmed by the superior Revenue Authorities, shall be liable to be annulled, set aside, or altered by any court of judicature, on account of any error or irregularity in the previous process used for the recovery of the arrear claimed, or on account of any error, irregularity, or omission whatsoever, not involving the failure of one of the conditions hereinafter specifically declared to be essential to the validity of public sales; but any person, who may consider himself aggrieved by any act or circumstance connected with a sale not amounting to such failure, shall have his remedy in a personal action for damages against the individual by whom, or by whose fault he may have been endamaged.

Conditions neceſſary to validity of ſales

V. The conditions of the validity of a public sale for the recovery of arrears of revenue are the following:

First.—That the lands or mehal sold form the estate on account of which the arrear has accrued, or are parcel of such estate, and be liable to sale consistently with the principle and provisions declared and enacted in this Regulation; or if not the estate or parcel of the estate as aforesaid be the property of the defaulter or his surety, or being the property of such defaulter or surety, shall have been specially pledged to answer the demand in arrear.

Second.—That permission to make the sale shall have been received from the Boards of Revenue, or other authority exercising the powers of those Boards, previously to the day of sale.

Third.—That due notice of the demand, and of the intention of the collector to sell, as well as of the time and place of sale, shall have been given as hereinafter provided.

Fourth.—That some part of the amount demanded in the notice, or of the interest payable thereupon, shall be due at the time of the lot being put up.

Fifth.—That the sale shall be made at the time and place stated in the advertisement, and with due publicity and freedom, as hereinafter specifically directed.

Collector deſiring to ſell, how to apply for the Board's permiſſion.

Statement of lands for ſale to be forwarded.

With copy of notice.

Board how to proceed on receiving ſtatement from collector.

VI. *First.*—Whenever a collector or other officer shall deem it necessary to resort to a sale of lands for the recovery of arrears of revenue, he shall transmit to the Board of Revenue, or other authority exercising over him the powers of that Board, a statement containing the name of the mehal or mehals proposed to be sold, the name of the registered proprietor or proprietors, or such of them as may be ordinarily used in designating the estate, the amount of the Government jumma, and of the arrear due. If the lands proposed for sale form a parcel or fractional part of an estate, the collector or other officer aforesaid shall further explain, for the information of the Board or other authority aforesaid, the grounds on which he may have fixed the proportional assessment. Along with the said statement, the collector or other officer aforesaid shall transmit a copy of the notice of sale, which he may have issued, or may propose to issue, under the rules hereinafter prescribed. The Board of Revenue, or other authority exercising the powers of that

Board may poſtpone ſale.

that Board, on receiving the above statement, will determine on the propriety of resorting to a public sale. If they deem it necessary or proper to make the sale in the manner proposed, they shall communicate to the collector authority to that effect; if there shall be any cause why the sale should not take place on the day fixed by the collector, it shall be competent to the Board or other revenue authority aforesaid, at any time previously to that date, to appoint any subsequent day, and they shall in such case instruct the collector to give notice of the sale being so postponed, in the manner hereinafter prescribed for cases of postponement, causing at the same time a notice of the postponement to be inscribed on the advertisement transmitted by the collector for publication in their Secretary's office. It shall be competent to the Board, or other authority aforesaid, in like manner repeatedly to postpone the sale of any estate, in the event of any thing arising to render it expedient to do so.

Cauſing notice to be given of poſtponement,

Repeated poſtponement may be made by the Board.

If alteration made in the mehal to be ſold, its jumma, or in place of ſale, freſh publication neceſſary.

Second.—Provided however, that if the Board, or other authority aforesaid, shall see reason to direct the sale of a portion only of the lands proposed by the collector to be sold, or of different lands, or to make any alteration in the amount of the jumma proposed by the collector, or to change the place of sale, it shall in such case be necessary that a fresh lotbundee be prepared, and that a notification of the proposed sale be published in the district, and at the office of the Secretary to the Board, or other authority aforesaid, in the same manner and for the same period as is prescribed for the publication of advertisements issued in the first instance by the collectors.

Sales of land not liable to be annulled on ground of informality or omiſſion in communications between Collectors and Board, provided authority to ſell have been given.

Third.—No sale, whether made before or after the promulgation of this Regulation shall be liable to be annulled on the ground of informality, or omission in the communications that may have passed between the collector and controlling Board; provided that the Board shall have actually given authority to proceed to the sale of the specific lot sold.

In what caſes collector may advertiſe, without previous reference.

VII. *First.*—The following rules shall be observed in issuing notice of sale, after leave shall have been obtained in the manner prescribed in the preceding section; provided, however, that whenever a collector, proposing to have resort to a public sale of any estate for arrears of revenue, shall deem it desirable to avoid the delay incident to a previous reference to the Board, then, provided the arrear, or any part of it, shall have been due not less than fifteen days, it shall be competent to the collector to issue the notice of his own authority, without waiting the sanction of the Board of Revenue.

Notice of ſale what to contain, and how to be iſſued

Second.—Every notice of the sale of lands for arrears shall, in case the lands be situated in Bengal or Orissa, exclusive of Cuttack, be written in the Persian and Bengallee languages; if in Cuttack, in Persian and Ooreea; and if in any of the other provinces, in Persian and Nagree. The aforesaid notice shall contain a statement of the demand on account of which the sale is to be made, and a specification of the estate or mehal to be sold, and of the jumma assessed on it, as well as of the day and place of sale.

Copy of notice to be ſtuck up in Cutcherry of collector, and in court.

Third.—A copy of the notice shall be stuck up in some conspicuous part of the collector's cutchery, or place of office for the time being, and another copy shall be sent to the judge, or other person in charge of the adawlut of the district in which the lands, or some part of them, may happen to lie, who shall on receipt of it cause it to be similarly exposed in a public part of his cutchery or adawlut; a third copy shall be sent to the Board of Revenue, or other authority exercising the powers of that Board, for publication in the office of its secretary. A like notice shall be sent by a single peon to be published on the estate, or in the mofussil, in the manner following: The peon shall first proceed to the cutchery or residence of the defaulter, and, upon obtaining a receipt under his hand, or under that of his manager, shall leave the notice in the possession of either of those persons. If the peon shall not be able to obtain a receipt as above, he shall proceed to the cutchery of the canoongoe, moonsif, or thanadar, within whose jurisdiction the said cutchery or residence may be, and shall cause the notice to be affixed to some accessible and exposed part of the building, bringing away a receipt from the officer at whose station the publication may have been made. Provided however, that in case any malgoozar or malgoozars should give in a written application to the collector, praying that notices of arrears and of sales on account of the revenue due from them, either

And in office of Board.

Publication made on eſtate.

Manner of publication in Mofuſſil.

either on account of their estates generally, or for any estate specifically named, may be served on their agents, or at the house of any mahajun at the sudder station, or other person duly authorized on the part of such malgoozar, or malgoozars, to receive and forward the same to him or them, then the receipt of the person or persons so authorized shall be deemed a full and sufficient acknowledgment of the service of such notice, and the tulubana leviable on the issue of the same shall be calculated with reference to the distance of the residence of such authorized agents from the collector's office.

What publication ſufficient for validity of ſale

Fourth.—No sale shall be liable to be annulled on the ground of any insufficiency of the notice given, provided it be satisfactorily proved, that the copy of the notice required to be sent to the court for publication was received by the judge, or other person in charge of the adawlut, for a period of thirty days prior to the date of sale; and provided there be sufficient evidence that the notice directed to be sent into the mofussil was received by the parties, or by any manager or agent on their part, or was published at a public cutchery after the manner provided, on a date prior to that on which the sale may have taken place, by not less than twenty days, or provided it be satisfactorily proved by other circumstances, or there be sufficient ground to presume that the defaulter, was fully aware of the demand being outstanding against the mehal, and of the intended sale, for a like period before the day of sale.

Courſe to be followed by the collector, in caſe the regiſtered proprietor of an eſtate ordered for ſale be a native officer, or ſoldier on the regular military eſtabliſhment of this Preſidency.

Fifth.—Provided however, that if any of the registered proprietors of an estate which a collector may propose to bring to sale for arrears of revenue, shall be entertained as a native officer or soldier in the regular military establishment of this Presidency, and shall have notified the circumstance to the collector in the manner required by Clause I. Section IX. Regulation XV. 1816, it shall be the duty of the collector to follow the course prescribed in that section before proceeding to the actual sale of the estate.

What notice required in caſes of poſtponement.

VIII. *First.*—In case of any sale being postponed, whether by orders of the Board of Revenue, or of any other authority exercising the powers of that Board, or in consequence of the Collector's seeing reason to put off the sale to a subsequent date, the collector shall, on or before the day originally fixed for the sale, stick up in his own cutchery an advertisement notifying the postponement, and the date on which the postponed sale is to take place, and shall transmit a counterpart to the judge of the district, who shall cause it to be similarly published at his court-house. This rule shall not however apply to cases in which any sale may have been postponed in consequence of any alteration in the lands advertised for sale, or of the jumma assessed thereon, or of the place of sale, in which case a fresh lotbundee and advertisement will be necessary, as above provided.

In what caſe freſh Advertiſement to be iſſued

What notice to be given in caſe of adjournment.

Second.—If, after the day appointed for the sale shall have arrived, and the assembly shall have been convened, the collector shall publicly adjourn the meeting, or put off the sale of any estate from day to day, either on account of illness, or because of the day's having closed, or from the press of other business, or as an indulgence to or at the request of the defaulters, or any of them, or for any other cause which he may deem good and sufficient in any such case, it shall be the duty of the collector to cause a notification of the circumstance to be inscribed in the original advertisement made in his cutchery over against the name of the estate or estates of which the sale may be put off; provided however, that if such adjournment shall take place after the bidding for any lot shall have begun, and before the lot is knocked down, the collector shall hold a proceeding recording the last offer, and the name of the bidder; and if he resume the sale at the adjourned meeting, he shall again put up the lot at the price so offered, unless the bidder shall have formally retracted his bid, or having been thrice called, shall not be forthcoming.

Proviſo for caſes in which the bidding may have commenced

Declaration as to the application of the above principles to paſt ſales.

IX. In regard to sales, which may have been made prior to the enactment of this Regulation, the decision of the courts on the question of their validity, in so far as relates to the adequacy of the notice which may have been served on the party, or otherwise issued, shall be guided by the principles stated in the fourth Clause of the 7th Section of this Regulation, that is to say, no sale shall be annulled by any of the said courts on the plea of want of due notice, provided it can be proved, or there be sufficient reason to presume, that a notice of sale in any one of the languages prescribed by the Regulations was served on the defaulter, or affixed or published in any part of the estate sold, one month prior to the date of actual sale, and that the purport of the notice was understood by the defaulter, his agents, or two or more of the residents of the place who may have witnessed the publication; provided further, that in cases in which any sale made previously to the enactment of this Regulation may have been postponed from the day appointed by the advertisement to the next or ensuing day of public business, if the meeting was publicly adjourned, and the persons assembled were fully informed of the postponement of the sale, and attended accordingly in such number and manner as that the second meeting may be fairly deemed to have been a continuance by adjournment of the first, such sale shall not be liable to be set aside as void or invalid upon any plea that the notice or notices required in cases of postponement were not duly served or published.

Before ſale, arrear to be aſcertained.

X. *First.*—Previously to putting up any estate to sale it shall be the duty of the collector, or other officer holding the sale, to satisfy himself that some part of the advertised arrear, or of the interest and charges due on account of it, is still unpaid. If the defaulter, or any one in his behalf, shall deny the existence of an arrear, it shall still be competent to the collector or other officer to proceed with the sale, unless the sum demanded by him shall be paid in, or a tender made of government securities, or notes of the bank of Bengal, equivalent to the entire demand, and five per cent. in addition, to cover eventual charges, or unless a certificate be furnished under the seal and signature of the judge of the district, showing the amount to have been deposited in court.

Proviſion for ſales held at the office of the Board.

Second.—Provided, however, that in cases of sales held at the office of the secretary to the Board of Revenue, or other similar authority, no payment or deposit made in the zillah shall be deemed sufficient to stay or invalidate a sale, unless the same shall have been made at such a period before the date of sale as to enable the collector, or other officer receiving the same, to communicate the information to the Board by the ordinary dâk, or unless the party shall himself produce to the officer conducting the sale a certificate of such payment or deposit having been made under the seal and signature of the collector, or judge of the district, before the lot is put up for sale.

Parties paying, or depoſiting amount demanded, may ſue to recover.

Third.—Parties paying, or depositing as above, the amount demanded from them, will of course be entitled to sue under the rule contained in Section XXIII. of this Regulation, provided they at the time deny the justness of the demand in writing, and proceed within the prescribed period; but after a sale shall have been made it shall not be liable to be annulled by any Court of Judicature, on the plea that no arrear was justly due, unless the said plea shall have been preferred to the collector or the Board prior to the sale, or previously to its confirmation by the latter authority, or good and sufficient reason be shown why such denial could not be made:

Proviſo.

Provided also, that no claim to abatement or remission of Revenue, unless the same shall have been allowed by the authority of Government, nor any private demand, or cause of action whatsoever, held or supposed to be held by a zemindar or other engager against Government, shall be allowed to bar or in any way affect the right of Government and its officers, summarily to enforce the payment of the public Revenue by the sale of the lands or property of the person, so long as any part of the assessment for which such zemindar, or other person aforesaid, may be liable, shall remain undischarged.

Declaration as to arrears accruing under attachment, or during diſpoſſeſſion.

XI. All estates for which a settlement shall have been made being liable for the Revenue assessed upon them to the extent of the interests possessed by the person or persons who may have engaged with Government, as ratified and confirmed by the act of settlement, and by those deriving title from such person or persons, unless otherwise especially provided, no sale shall be annulled on the plea that the arrear demanded accrued while the engager or his representative was divested of possession and management of the estate sold by the act of an individual, or by the collector or other officer acting under the order of a Court of Judicature, or attaching the estate by virtue of the powers vested in him by this or any other Regulation

Sales to be made conformably with Advertiſement.

By whom, and where to be made, if at Board.

XII. Sales shall be made at the place and time specified in the advertisement. If the sale shall have been advertised to take place at the Board of Revenue, or other authority exercising the powers of that Board, then it shall be held in the building or tent used as an office by the Board, or authority aforesaid, or in some convenient and public apartment, or other open and convenient place thereunto belonging or adjoining, in the presence of the Secretary, or that of one of the Members of the Board, or other authority as aforesaid, or of a covenanted officer duly empowered by the same to hold the sale. If the sale shall have been appointed to take place in the zillah, then it shall be held in the presence of the collector or other-authorized covenanted civil servant in public Cutcherry, that is to say, in some building or tent used as an office, and open to the public, or other open and convenient place thereunto belonging or adjoining; provided also, that in the morning of the day of sale, and whilst the sale shall be going on, the collector or other officer shall cause a flag to be exhibited, or such other signal to be given at the door or gateway of the office where the sale may be conducted, as the Board of Revenue may direct.

And by whom, and when in zillah.

XIII. When the bidding shall have commenced, it shall be the duty of the collector to receive the bid of every one without inquiry, but prior to knocking down the lot and concluding the sale, he shall call upon the person who may have made the last offer, in order to satisfy himself on the following points:

Every one's bid to be received.

But before concluding ſale, collector ſhall ſatisfy himſelf.

1*st.* That the bidder has the means of making the deposit hereafter directed to be taken.

1ſt That bidder can make required depoſit.

2*dly.* That he is not the defaulter, or an officer of his own establishment, or a person acting on behalf of either the defaulter or such officer.

2d. That he is not a perſon forbidden to purchaſe.

3*dly.* That the person or persons named is or are the real *bonâ fide* purchaser or purchasers on their own account and risk.

3d That the oſtenſible purchaſer is the real one.

XIV. *First.*—A deposit of 15 per cent. on the amount bid, or such other rate as the Board of Revenue, or other similar authority, may from time to time direct, shall be required by the collector from the person in whose name any lot may be knocked down, immediately on declaring the sale concluded, or as soon after as the collector may think necessary.

What depoſit to be made by purchaſers

Second.—If the person who may have made the last offer shall not when called upon forthwith tender the prescribed deposit, the collector shall be at liberty to reject the bid, and to put up the lot again at the amount of the next highest offer. The person who may have made such offer shall have the benefit of his bid, and be held bound to maintain it, by tendering the required deposit, if no higher offer shall be made; and on his failure to do so the collector shall be competent to have recourse to the next highest bidder; provided however, that it shall at all times be competent to the collector, at his discretion, to commence the sale of the estate *de novo*, instead of concluding the sale with the next highest bidder.

If depoſit not tendered when required, the lot to be again put up

Third.—Any person bidding at a public sale, who upon being called upon to conclude his purchase and lodge the prescribed deposit, may be unable, or may refuse to do so, shall be deemed guilty of contempt, and the collector shall be competent to impose a fine, of an amount not exceeding 100 rupees, for every such offence, and if the fine be not paid, to send the delinquent to the Judge of the district, who shall confine him in the civil jail until the fine is paid, or for a period not exceeding fifteen days.

Perſons failing to make depoſit, how puniſhable.

XV. *First.*—If at a public sale for arrears, the collector shall see reason to believe that the highest bidder, or person with whom he is about to conclude a sale, is purchasing for the defaulter, or has given in a fictitious name, concealing that of the true purchaser or purchasers, or has stated as the purchaser the name of a person other than the party or parties with whose money, at whose risk, and for whose benefit the purchase may have been made, or has concealed the name of any such party, it shall be competent to him to refuse to conclude the sale. In every such case however he shall hold a proceeding in the Persian language, stating distinctly the grounds of his belief, and the reason of his setting aside the individual, and disallowing his purchase; provided also, that in such cases the party so bidding shall be liable to a fine equal in amount to the deposit which would have been paid had the sale been concluded at the price bid, or to such other fine not exceeding that amount, as the Board may, on the report of the collector, see fit to impose; all such fines adjudged by the Board shall be recoverable by the process in use for the recovery of arrears of revenue from sudder farmers and their sureties.

In what caſes collector may refuſe to conclude a ſale with higheſt bidder.

Collector in ſuch caſes, to record the grounds of refuſal.

Penalty for bidding by defaulter, or Benamee if purchaſe be diſallowed.

Second.—It shall be in the power of any person whose purchase may be disallowed to appeal from the collector's order to the Board of Revenue, or other authority exercising the powers of that Board; and provided he give in to the collector a written protest, claiming the lot before the breaking up of the Cutcherry,

Perſons whoſe purchaſe is diſallowed by collector may appeal to the Board.

or at the next sitting of the collector, or transmit a petition to that effect to the Board within twenty-four hours of the conclusion of the sale, it shall be competent to the Board, or other authority aforesaid, to direct the sale to be concluded with the party disallowed, to the prejudice of any other purchaser at an inferior price.

The term defaulter explained to mean the perſon with whom ſettlement has been made by Government, or his repreſentatives.

XVI.—The term defaulter, wherever used in this Regulation, shall be deemed and considered to designate the person or persons with or on account of whom the settlement of the land revenue may have been concluded with Government, or the heirs, successors or assignees of such person or persons in possession of the interest acquired or confirmed by such settlement: And it shall not be construed to include those proprietors, putteedars, village zemindars, or the like, who at the time of the settlement held distinct properties, though paying their revenue through the recorded malgoozar, save and except in so far as those persons may be expressly declared responsible to Government.

Sales not to be ſet aſide on plea of wrongful diſallowance, but defaulter, if aggrieved, may ſue for damages.

XVII.—No sale shall be liable to be reversed on account of any proceedings, or order of the collector, or of the Board of Revenue, or other authority exercising the powers of that Board, touching the question of whether a purchase is to be allowed or not; nor shall any action lie against Government on account of any such proceeding or order.

Collector how to proceed in the caſe of purchaſe by Revenue officer.

XVIII. *First.*—Should the collector or other person conducting the sale, either at the time of concluding the sale, or at any subsequent time before the sale may have been confirmed by the Board of Revenue, or other authority exercising the powers of that Board, see reason to believe that the real purchaser is a person on his establishment, or in any way connected with the management of the collections of the zillah or pergunnah within which the lot sold may be situated, he shall nevertheless conclude the sale, and realize the purchase money, having recourse, if necessary, to the process prescribed for the recovery of arrears due from sudder farmers or their sureties. It shall in such case be his duty to institute an immediate investigation, in order to bring the matter to proof, and the result of any proceedings that may be held upon such an investigation shall be submitted to the Board of Revenue, or other authority aforesaid, who will determine whether the fact be established, or otherwise. Should they consider it to be proved that the real purchaser is an individual employed at the time on the collector's establishment, or otherwise in the collection of the revenue of the local division within which the lot is situated, the Board, or other authority aforesaid, shall report the circumstances to the Governor General in Council, who will, if he deem it expedient, direct the lot to be attached, and held for Government, or to be re-sold, or escheated, or otherwise disposed of at his pleasure. The amount of the purchase money shall in that case be credited to the defaulter in the same manner as if the sale stood good; and if the purchaser contest the fact of his being a person prohibited from purchasing, he shall have his remedy in an action at law, for the recovery of any amount he may have paid into the Treasury, with interest and damages.

Governor General may confiſcate.

Purchaſer may conteſt by ſuit in court.

Collector how to proceed, on diſcovery of Benamee purchaſe, before delivering poſſeſſion.

XIX. If at any time after the conclusion of the sale, and before the receipt of the Board's confirmation and the delivery of possession, the collector shall see reason to believe that the name or names given in at the time of sale was or were other than the name or names of the real bonâ fide purchaser or purchasers, he shall be competent to stay delivery of possession, and to institute an investigation to bring the matter to proof. On completion of the inquiry he shall communicate the result to the Board of Revenue, or other authority exercising the powers of that Board, who shall be competent to annul the sale, and to direct the lot to be re-sold, and also to impose upon the party who bid at the sale such fine as they may see fit, not exceeding the amount of the deposit paid, or payable on the price at which the sale was concluded. The fine so imposed shall be realized from the deposit, if it shall have been paid, or shall be recoverable, if the deposit shall not have been paid, by the process in use for the recovery of arrears of revenue from sudder farmers and their sureties.

After poſſeſſion given, the purchaſer ſhall not be ouſted without ſuit in court.

XX. *First.*—When the Board of Revenue, or other authority exercising the powers of that Board, shall have confirmed a sale, and possession shall have been given to the purchaser, he shall not be liable to be disturbed on the plea of any illegality in the purchase, excepting by decree of a Court of Justice in a regular suit.

Proceſs to be followed in caſe of Benamee purchaſe diſcovered after poſſeſſion given.

Second.—If at any time after a sale may have been confirmed, and possession given, it shall be discovered that the real purchaser is the defaulter, or a person other than the person who may have been designated as the purchaser at the time of sale, and the fact shall be established by a decree of a Court of Judicature, whether at the suit of Government, or of an individual, in which latter case information shall be given by the Court passing the decree to the collector; then if Government or its officers were not a party to the suit, it shall be competent to the collector, with the sanction of the Board of Revenue, or other authority aforesaid, to impose on the party so offending a fine not exceeding 25 per cent. on the amount of the purchase money, or if it shall appear advisable, and provided a period of two years shall not have elapsed from the date of sale, to cancel the sale, and to dispossess the purchaser, or his representative or representatives, (if put in possession,) returning to him or them three-fourths of the price realized at the public sale.

Alſo where revenue officer may purchaſe.

Third.—If after possession has been given it shall be proved by a decree of Court, that an estate has been illegally purchased by a Revenue Officer of Government, whether the suit shall have been instituted by the collector on the part of Government, or by the former owner of the estate sold, or by any other party, who may be induced to prosecute by the hope of reward, by any or all of which persons a suit to enforce the prescribed Penalty may be brought, the Court shall, in case there be no appeal lodged from the decree, or if there be appeal, the Court passing the final judgment, shall forward the decree to the Governor General in Council, in order that a confiscation of the estate may be declared. The Governor General in Council will be at liberty to dispose of any estate so confiscated, according to his pleasure.

Collector how to proceed, if purchaſe money be not paid in 10 days.

Eſtate to be reſold at riſk of firſt purchaſer.

XXI. *First.*—The entire amount of the purchase money shall, in all cases of sale for arrears of the public revenue, be made good by the 10th day from the day of sale; and if the whole sum, including the amount deposited, be not made good before noon of that day, it shall be competent to the collector, on the afternoon of the 10th day, or at such subsequent period as the Board of Revenue, or other authority exercising the powers of that Board, may from time to time direct, to notify by beat of drum, or by the issue of advertisements, or in such other manner as the Board or other authority aforesaid may direct, that the estate will be again exposed to sale on any subsequent day on which a sale of other lands may have been ordered to take place; and unless the first purchaser shall fully account to the satisfaction of the collector, or of the Board, for his failure to complete his purchase, the collector shall and may sell the estate so advertised for re-sale at the risk of that person, who shall on his default forfeit the amount he may have already deposited, and all claim to the possession of the estate, as well as to all excess that may be realized at the second sale beyond the price at which the lot may have been sold in the first instance. If the price realized at the second sale be less than that of the first, the difference shall be leviable from the first purchaser by any of the processes authorized for realizing an arrear of the Government revenue; the amount when recovered to be added to the purchase money, for the benefit of the defaulter, and if there is an advance on the re-sale, it shall be carried to the account of the defaulter.

Or reſtored to late proprietor.

Second.—Provided also, that in such cases it shall be competent to the collector, with the sanction of the Board, instead of re-selling an estate, the purchaser of which may so fail to make good his purchase, to restore the estate to the original proprietor, on his discharging or making satisfactory arrangements for the liquidation of any arrears, which may be due therefrom, together with interest, and all expenses incurred by the sale, or other authorized charges for which he may be justly liable.

Purchaſe money how to be appropriated.

Reſponſibility of purchaſer for the Government Revenue, from what time to commence.

Under tenants not to pay any rent fall-

XXII.—When the purchase money payable on account of any estate sold for arrears of revenue, or re-sold on failure of the first purchaser, shall be realized, the balance on account of which the sale may have been made, as well as any former balances remaining due from the estate, with all interest and charges up to the day of sale, and also (unless otherwise specially stipulated) any subsequent kists that may have fallen due up to that date, shall first be made good to Government therefrom. The residue shall belong to the defaulter or defaulters, and be payable to his or their receipt upon demand. The purchaser will be answerable for the entire kists of the Government revenue that may be due on account of the month in which the sale is held, (unless otherwise specially stipulated), and for all subsequent kists; and it is hereby prohibited to the ryots and under tenants to make any payments on ing due after day of ſale, without authority from collector.

account of rent, or revenue falling due subsequently to the day of sale, or on account of the month in which the sale may be held, to the defaulter, or to any person whatever claiming to collect them as sudder malgoozar, who may not bring a certificate or umulnama under the seal and signature of the collector, authorizing him to do so, or a receipt for the advertised balance.

Arrears due to defaulter to be recovered by ſuit in the uſual form, unleſs transferred.

XXIII.—Arrears that may be due at the time of sale from the under tenants to the defaulter shall be recoverable by him by suit in court, in the usual form; but if he shall choose to transfer his right therein to the new proprietor, the latter may proceed against the defaulting under tenants for the recovery of the amount so due by them, in the same manner as if the arrears had accrued subsequently to his acquisition of the mehal.

Collector to report ſales to the Board, and not to give poſſeſſion until confirmed.

XXIV. *First.*—When any estate may be sold for the recovery of arrears of revenue, the collector shall, as soon as possible after the full amount of the purchase money shall have been realized, transmit a report of the sale and the accounts thereof, together with any proceedings he may have held upon the occasion, to the Board of Revenue, or other authority exercising the powers of that Board, for confirmation; and no sale shall be deemed absolute, or entitle the purchaser to assume possession of the lands sold, until the confirmation of the Board, or other authority aforesaid, shall have been received.

Perſons objecting to ſale may petition the Board, who will allow time before confirmation.

Second.—If the party whose lands may have been sold shall desire to contest the sale, it shall be competent to him to present a petition to the Board of Revenue, or other authority exercising the powers of that Board, at any time within thirty days from the date of sale, until which date the Board, or other authority aforesaid, shall not issue any final order of confirmation. Provided also, that it shall be competent to the Board, or other authority aforesaid, to allow a further term, in case they deem it necessary, for the purpose of investigation, or any other sufficient cause.

Board, may annul ſales, and their order in that caſe ſhall be final.

Third.—If on perusal of the collector's proceedings, or the petition of the party, the Board, or other authority aforesaid, shall see sufficient ground for withholding their confirmation of the sale, it shall be competent to them to annul the sale, after making any further inquiry they may judge necessary, and they shall similarly be authorized to postpone their final orders for such time as may be requisite for the investigation of the case. The order of the Board of Revenue, or other authority exercising the powers of that Board, for annulling a sale, on whatever ground founded, shall be conclusive.

Sales may be conteſted by ſuit in court, though confirmed by Board.

XXV. If the Board of Revenue, or other authority exercising the powers of that Board, shall confirm the sale, it shall nevertheless be competent to the former proprietors, or any of them, to institute a suit in the civil court to contest its validity; and if it shall be established to the satisfaction of the court, that any one or more of the conditions above declared to be essential to the validity of a sale, have not been observed, it shall be competent to the court to annul the sale; provided however, that the court shall not admit or take up any such plea, unless the same shall have been urged by the party in his petition to the Board, or other authority aforesaid, or unless the failure to do so shall be satisfactorily accounted for.

But ſhall not be ſet aſide, except on plea urged to the Board.

Suit to be diſmiſſed if failure of ſome condition of validity be not proved.

XXVI. If the party suing shall fail to establish, to the satisfaction of the court, that the sale is invalid by reason of the failure of any of the said conditions, the suit shall be dismissed; but if it shall appear to the court, in which the decision may be passed on the original suit or in appeal, that the proceedings of the collector, or any of his officers, have been improper or irregular, and that the plaintiff has been endamaged from that cause, it shall be competent to the court to adjudge such damages to the plaintiff as may appear equitable, in compensation for the injury sustained by him, and in such case to declare whether the damages shall be paid by Government, or by the collector personally, or by any of his officers; provided also, that it shall in such cases be competent to the court to submit to the Governor General in Council a recommendation that the estate sold should be restored to the plaintiff, with a statement of the compensation which it may appear equitable to allow to the purchaser, recording the same, with the reasons for it at length, on his decree; and whenever a case may be so submitted by any court, and no appeal may be lodged against the judgment, it shall be competent to the Governor General in Council, if he shall be satisfied that the case is one justifying such an interference, to cause the estate to be restored to the plaintiff, on his making the compensation recommended

But Court may adjudge damages for irregularity or the like.

And may certify caſes of hardſhip to Governor General in Council.

Who may reſtore the former proprietor, compenſation being made to purchaſer in ſuch caſes.

recommended. But if the purchaser shall desire to retain his purchase, and the case be open to a regular appeal under the general Regulations, the purchaser will of course be at liberty to appeal to the Court possessing appellate jurisdiction, in order to contest the propriety of the recommendation submitted to Government, or of any part of it. In such case the decision of Government will be suspended until the final judgment be passed; but if the purchaser shall merely contest the adequacy of the compensation proposed to be assigned to him, it shall be competent to the Governor General in Council, if he shall resolve to adopt the recommendation of the Court passing the original decree, immediately to order the restoration of the estate to the former zemindars, on payment of the amount adjudged to be due as compensation to the purchaser, and in such event, the fee payable on the institution of appeal shall be calculated on the difference between that amount and the sum claimed, but the appellant should not be entitled to judgment on any other point than that pleaded, viz. the adequacy of the compensation adjudged. In such case the estate shall be held to be mortgaged in security for the eventual judgment.

Proviſo for appeals in ſuch caſes ſo certified.

XXVII. *First.*—No person shall be entitled to contest the validity of a sale after having received any portion of the purchase money; nor shall any part of the sale proceeds of any estate be liable for the debts of the late proprietor, whilst the validity of the sale may be under contest; provided however, that it shall be competent to the purchaser, or any other party interested, after a suit may have been lodged to contest the sale, to apply to the collector, or the Board of Revenue, or other authority exercising the powers of that Board, in order to have the excess of the proceeds of sale beyond the Government demand vested in Government securities, at the rate of the day, which in that case shall, on the final decision of the suit, be delivered to the person entitled to the same, with the interest which may have accumulated. And if no such application shall be made, interest shall not be demandable upon the unappropriated amount remaining in deposit in the Government Treasury.

Sale not to be conteſted by a party who has received any portion of the purchaſe money

All parties intereſted may apply to have the exceſs of the ſale proceeds lodged in Government Securities

Second.—Provided likewise, that if the sale of any estate be reversed by decree of court, by reason of the failure of any of the conditions specified in Section V. of this Regulation, and it be determined that an arrear was due by the late proprietor at the time of sale, the estate shall not be restored to the defaulter until the amount of the arrear shall have been made good with interest, and the Government shall, on restoring the purchase-money to the purchaser, pay to him the same rate of interest on the amount appropriated to the liquidation of its demand, as may be recoverable from the defaulter. In like manner, in cases in which it may be determined that no arrear was due at the time of sale, Government shall be answerable to the purchaser for any sums so appropriated, with interest thereon.

On ſale being reverſed, payment of the arrears due at the time of ſale with intereſt, to be the condition of reſuming poſſeſſion.

Government to be answerable for the ſame intereſt on ſums appropriated in payment of arrears as may be recovered from the defaulter

XXVIII. *First.*—On receiving the confirmation of a sale by the Board of Revenue, or other authority exercising the powers of that Board, the collector shall give possession to purchasers at the public sales of lands within their respective zillahs, by publishing at the head cutcherry of the pergunnah, or other mehaul sold, and at the cutcherry of the Dewanny Adawlut, in the jurisdiction of which such mehaul, estate, or portion of estate, may be situated, a statement of the land sold, (as exhibited at the time of sale) the name of the purchaser, the date of his purchase, and his succession to all the rights of the former possessor in the lands so exhibited. In the event of any further measures being necessary to put the purchaser in possession, the collector shall apply to the judge of the zillah or city within which the land may be situated, and on inspection of the proclamation above mentioned the judge shall put the purchaser in possession of the property sold to him, as therein specified, by the usual process for giving possession of landed property under decrees of the courts of justice.

Rules for giving poſſeſſion

Statements to be publiſhed at certain Cutcherries.

If further meaſures neceſſary.

Zillah Judge to be applied to, and poſſeſſion to be given as in caſe of decree.

Second.—Should obstacles be experienced in giving possession of an estate sold for arrears, whether in consequence of the opposition of the former proprietors, and the difficulty of settling their claims to reserved interests in any part of the lands sold, or from the opposition of persons asserting themselves to be in possession of Talooks, and other interests not affected by the process of sale for arrears, or because of boundary disputes with neighbouring zemindars, or the like, or should the circumstances of the estate to be delivered over to the purchaser appear in other respects to render it expedient that a local commission should be appointed to inquire into the claims of the parties on the spot, in order to decide what lands shall be delivered over to the purchaser, and for what he shall be referred to a civil action against

In caſes of difficulty in giving poſſeſſion from diſputes regarding tenures or boundaries, or of other ſufficient reaſon.

Governor General in Council may appoint a civil ſervant commiſſioner to determine ſummarily the points at iſſue.

against the opposite party, or vice versa, it shall be competent to the Governor General in Council to depute a covenanted civil servant as a Commissioner for the said purpose; and it shall be competent to the Commissioner appointed under the provisions of this Section, to determine, in the first instance, the limits of the lands in which the purchaser is to be held to have acquired an interest by his purchase, and the nature and extent of the rights and interests to be possessed by him under that title, and to give possession accordingly; leaving any party dissatisfied with his award to prosecute their claims by a regular suit in the Adawlut against the party in whose favour such awards shall have been given: and the awards of such Commissioner shall be maintained and acted upon by the courts of judicature in all summary or interlocutory decisions, or orders, until it shall be altered or reversed by a regular decree of Court. A Commissioner appointed as aforesaid shall be guided by the same rules as are observed by the Zilla Courts in the investigation and decision of summary suits, unless otherwise specially directed by the Governor General in Council, and shall be considered and be a court of civil judicature on all things relating to the cases falling within his cognizance, and to all persons concerned in such cases, whether as plaintiffs or defendants, or their agents, or as witnesses summoned or examined in their behalf; and he shall possess and exercise, in regard to such things or persons as well as in regard to all persons whatsoever, attached to or in attendance at his Cutcherry, the same powers and authority as are or may be lawfully exercised in such matters by the Dewanny Adawlut of the Zilla.

Such commiſſioner to be, unless otherwiſe provided, a civil court, and to have juriſdiction as ſuch.

Diſputes as to extent of purchaſe between purchaſers and late proprietor, how to be ſettled.

Third.—If the late possessor shall dispute the right of the purchaser to any part of the property so delivered over to the purchaser, on the plea that it was not included in the purchase, he (the former possessor) shall be at liberty to institute a regular suit in the Dewanny Adawlut for the recovery thereof, and in like manner, if the purchaser thinks himself entitled under the sale to any land, which the judge or officer appointed as above may not deliver over to him, he is at liberty to sue the late possessor for the same in the Dewanny Adawlut.

Diſputes between purchaſer and a third party as to extent of property conveyed by ſale, how to be ſettled.

Fourth.—If any other person, not being the late possessor of the estate sold, shall claim or assert an interest in any portion of the land delivered to the purchaser, on the plea that, (whether included in the sale or not,) it formed no part of the property liable for the Government Revenue assessed on the mehal sold, he shall be at liberty to institute a suit for the recovery thereof jointly against the former possessor of the mehal sold, and the purchaser. If the lands, or other property so claimed, shall be adjudged to the plaintiff, costs of suit shall be payable by the late possessor of the mehal sold, who shall further, if the land or property sued for shall have been held by him as part of the estate sold, or shall have been clearly included in the sale, be compelled by the Court to make adequate compensation to the purchaser.

Declaration as to extent of right conveyed by a ſale.
1st, where an eſtate may be ſold for arrears accruing on another mehal.

2d, where an eſtate may be ſold in recovery of the revenue assessed upon it.

XXIX. In cases in which any land belonging to a defaulter, or his surety, may be sold for the recovery of an arrear of revenue, not being the land on account of which the arrear may have accrued, then whether the said land sold be malgoozaree or lakheraj, the purchaser shall only be held to have acquired the rights, interests, and title possessed by the said defaulter or surety, in like manner as if the land had been sold by private sale, or under a decree of court in liquidation of a private debt. In the case, however, of an estate being sold for the recovery of any part of the revenue assessed upon it, since the act of sale transfers to the purchaser all the property and privileges which the engaging party possessed and exercised at the time of settlement, free from any accidents or encumbrances that may subsequently have been imposed, or have supervened thereupon, such as sale, gift, or other transfer, mortgage, marriage settlement, or other assignment, or the like, the property and privileges possessed and exercised as aforesaid, being perpetually hypothecated to Government for the revenue assessed thereon, no claim of right founded on any act of the original engager or his representative, or on any plea impeaching the title by which the said engager may have held, shall be allowed to impugn the right of the revenue authorities to make the sale, or to bar or affect the title and interest conveyed to the purchaser by the sale. Provided however, that if Government shall have acquired or assumed the property of any estate subsequently to a settlement, and shall have conveyed the same to another, the estate shall be held subject to all just claims to which it was liable at the time of such conveyance: consequently the party ousted on the assumption or acquisition by Government shall not be barred by a sale made after such conveyance of any right he may have possessed

Proviso.

Persons claiming property, in an estate advertised, on what conditions to get possession

possessed to recover from Government the property so assumed or acquired by it. Provided also, that when any person claiming the proprietary right in any mehal shall have instituted a suit in court for the recovery of the same, if the party in possession of such mehal shall neglect to discharge the revenue payable on account thereof, and a sale of the mehal for the recovery of the arrears due shall have been ordered by the Board of Revenue, or other authority exercising the powers of that Board, it shall be competent to the said plaintiff to make application to the Court to be put in possession of the contested mehal, on paying the arrears, with interest and charges due, and giving security as hereinafter provided. The judge, on receiving such application, shall cause notice thereof to be given to the defendant, or to his authorized agent or vakeel, and if the defendant shall not have discharged the arrear for the recovery of which the sale may have been ordered, with the interest and charges, by noon of the court-day next preceding that fixed for the sale, he shall receive the amount tendered by the plaintiff, and shall cause him to be put in possession, subject to the rules for taking security in the case of appellants and defendants, contained in Clause 4, Section XI. Regulation XIII. 1808, transmitting the amount received as aforesaid, with the necessary precept, to the collector.

Under tenures how affected by sale for arrears

Where such tenures may be derivative from defaulters

XXX.—In pursuance of the principle of holding the estate of a defaulter answerable for the punctual realization of the Government revenue in the state in which it stood at the time the settlement was concluded, (at which time, by the dissolution of its previous engagements, Government must be considered to resume all rights possessed on the acquisition of the country, save where otherwise specially provided) all tenures which may have originated with the defaulter or his predecessors, being representatives or assignees of the original engager, as well as all agreements with ryots, or the like, settled or credited by the first engager or his representatives subsequently to the settlement, as well as all tenures which the first engager may, under the conditions of his settlement, have been competent to set aside, alter, or renew, shall be liable to be avoided and annulled by the purchaser of the estate or mehal, at a sale for arrears due on account of it, subject only to such conditions of renewal as attached to the tenure at the time of settlement aforesaid, saving always and except bonâ fide leases of ground for the erection of dwelling-houses or buildings, or for offices thereunto belonging, or for gardens, tanks, canals, watercourses, or the like purposes, which leases or engagements shall, so long as the land is duly appropriated to such purposes, and the stipulated rent paid, continue in force and effect.

Governor General in Council may reserve under tenure.

XXXI. The above rules regarding under tenures are indispensable for the security of the Public resources, and have accordingly been uniformly acted upon as a general and fundamental principle of the revenue system of this Presidency; but as the application of the rules leaves an opening to abuse, by enabling a zemindar who may have granted leases, or other temporary or permanent assignments of his land, for a present money consideration, to annihilate the under tenures so created by him, it is hereby provided, that it shall be competent to the Governor General in Council, when he shall see proper, at any time before a sale for arrears shall have been actually made, to direct it to be made, subject to the leases, assignments, or other encumbrances with which a proprietor in possession, his ancestors, or predecessors, may have burthened his assessed estate, or to such of them as shall appear proper. In all such cases notice of the condition imposed by the Governor General in Council shall be given by the collector at the time of calling up the lot for sale, and such further notification shall be made as the Governor General in Council may direct: provided, however, that in case the sale so restricted shall not realize an amount equal to the arrear due at the time of sale, or there shall appear ground to apprehend, that by reason of the restriction the future realization of the revenue will be endangered, it shall be competent to the Governor General in Council, at any time before such restricted sale shall have been finally confirmed under the rule contained in Section XXII. of this Regulation, to direct the sale to be cancelled, and a new sale of the estate to be made without restriction. If subsequently to confirmation occasion should arise to bring to sale for arrears an estate purchased with a restriction of the above description, it shall at all times be competent to the Governor General in Council to direct that the mehal shall be sold without any restriction beyond what may have attached to the tenure at the original settlement, or with the reservation before reserved. In the former event, should the purchase-

money

money realized by the unrestricted sale exceed in a large amount the sum obtained at the restricted sale, it shall further be competent to the Governor General in Council to direct a portion, or the whole, of the excess to be paid to the persons whose interests having been reserved at the first shall become void at the second sale.

What under tenures to be maintained

XXXII. The above rules, or any other rules contained in the existing Regulations, by which persons are declared competent under certain restrictions to annul engagements contracted between former proprietors and their under tenants, and in certain cases to enhance the rent payable by such tenants, shall not be construed to entitle the purchasers of land at public sales to disturb the possession of any village zemindar, putteedar, mofussil talookdar, or other person having an hereditary transferable property in the land, or in the rents thereof, not being one of the proprietors party to the engagement of settlement or his representative. Nor shall the said rule be construed to authorize any purchaser as aforesaid to eject a khood khasht, kudeemee ryot, or resident and hereditary cultivator, having a prescriptive right of occupancy. Nor shall a purchaser demand a higher rate of rent from an under tenant of either of the above descriptions than was receivable by the former malgoozar, saving and except in cases in which such under tenants may have held their lands under engagements, stipulating for a lower rate of rent than would have been justly demandable for the land, in consequence of abatements having been granted by the former malgoozars from the old established rates by special favour, or for a consideration, or the like, or in cases in which it may be proved that according to the custom of the pergunnah, mouzah, or other local division, such under tenants are liable to be called upon for any new assessment, or other demand not interdicted by the Regulations of Government.

Mofussil settlements how to be made by purchaser

XXXIII. Persons purchasing at public sale, who may be desirous of enhancing the rents of their under tenants, shall, as heretofore, be required, in the absence of specific engagements, to serve a formal notice of their intention, as prescribed in Section IX. Regulation V. 1812; but nothing in the said Section was intended, or shall be construed, to affect the right of any individual possessing a transferable or hereditary right of occupancy to contest the justness of the demand so made; and to pay his rent as heretofore, until the contrary shall be decided by a competent court of justice. Nor in any respect to annul or diminish the title of the ryots to hold their land subject to the payment of fixed rents, or rents determinable by fixed rates, according to the law and usage of the country.

If the lot sold be only portion of a mehal, statement of the grounds of assessment to be exhibited at the time of sale, and other information to be given.

But this no guarantee to purchasers, either of the defaulter's title.

Or of the Jumma, if subsequently found disproportionate

New allotment may be ordered by Government within 10 years, as in case of Butwarras

If the Jumma allotted on sale of a portion of a mehal, be found too low, sale may be cancelled within 10 years, if purchasers refuse to allow fresh allotment

Government may award compensation to be paid by the party benefited by re-allotment.

XXXIV. If the lot sold form only a specific portion of an assessed mehal, divided off for the purpose of sale, with a Jumma specially assigned thereon, a statement of the grounds on which such assessment may have been fixed shall be exhibited at the time of sale, for the information of purchasers, who will likewise be entitled to inspect any records of the office at which the sale may be conducted, that may be forthcoming, of a kind likely to give information as to the value of the lot. The statement, however, so exhibited, or other information howsoever procured, shall not be deemed to afford any guarantee to the purchaser of the title under which the late proprietor may have held the lands mentioned therein as part of the mehal in arrear, or of their profit or extent: Provided likewise, that in case it should subsequently be discovered, that the Jumma settled on the portion of a mehal so sold is excessive, or substantially disproportionate, it shall be competent to the Governor General in Council, on the representation of the purchaser, his heirs or assigns, made at any time within ten years from the date of sale, to order a new allotment of the jumma on the lands sold, and on the remainder of the mehal from which the same may have been separated, on the principle prescribed for the cases of Butwarras, and in this case all separations made at or after the time of sale shall be cancelled; provided further, that in cases wherein the Jumma assessed on a separate lot sold shall from evident mistake be fixed greatly too low, it shall be competent to the Governor General in Council, at any time within ten years from the date of sale, to cancel the sale unless the purchaser consent to allow of a fresh allotment of the Jumma. When a sale may be so cancelled, the amount of the purchase money shall be repaid to the purchaser without interest, and if the late proprietor shall refuse, or fail to make good the amount when called on to do so, the lands sold shall become the property of Government; provided also, that whenever the Jumma assessed on any lot shall be reduced under the above provisions, it shall be competent to the Governor General in Council to determine what compensation shall be paid by the purchaser who may benefit by such reduction of the assessment, or by his representative, to the party or parties, the Jumma of whose lands may be enhanced; or if the aforesaid purchaser or his representative shall refuse to pay the sum so awarded, to cause the lot to be re-sold, and after re-paying to the purchaser or his representative, the amount of his purchase money, without interest, to pay or distribute the remaining proceeds of the re-sale to or among the party or parties, the Jumma of whose lands may be enhanced.

No abatement of Jumma to be made, without the sanction of Government

And revenue authorities exclusively competent to take cognizance of questions touching the amount of assessment

XXXV. It is hereby declared and enacted, that no abatement of a Jumma once fixed by the Revenue authorities, shall be made, except by the authority of the Governor General in Council; and it is hereby further declared, that the Revenue authorities only are competent to take cognizance of any question affecting the amount of Jumma assessed, or fixed on any lands paying revenue directly to Government, and that the fixing, altering, or modifying the amount of Government Revenue on such lands, shall belong exclusively to those authorities, subject of course to the general control of the Governor General in Council.

In case of a purchase by Government, the rules for khas management to be applicable

XXXVI. If a collector shall at any time, being so instructed by either the Government or the Board, purchase on account of Government an estate exposed to sale for the recovery of arrears of revenue, the rules applicable to the management of ordinary malgoozaree mehals held khas, or farmed, shall be considered applicable to such estate, and also to all other estates the property of Government, according as they may be held khas, or let in farm.

Collectors to have the power of punishing for contempt

XXXVII. *First.*—With a view to enable the Revenue authorities to maintain due order in their Cutcherries, more particularly at the time of conducting judicial investigations and holding public sales, it is hereby enacted, that the Board of Revenue, or other authority exercising the powers of that Board, or any member thereof exercising separate authority, the collectors of land Revenue, or other covenanted officer employed in the collection of the Revenues, shall be competent to punish any contempt, outrage or disturbance committed in open Cutcherry in their presence, by fine to an extent not exceeding 100 rupees, commutable, if not immediately paid, to imprisonment in the Dewanny jail of the district for a period not exceeding fifteen days. A similar power shall be vested in any officer employed in conducting public sales under the authority of the Revenue Boards.

Orders in such cases to be final, saving the power of control vested in the Boards and Government – Zillah Judges are to enforce the penalty ordered, in the same manner as if adjudged by a court

Second.—The orders passed in such cases by the aforesaid officers shall be final, saving the general powers belonging to the Board and to Government, of revising and controlling the acts of subordinate Revenue officers, and the Zillah Judges are required, on receiving a copy of the order passed by such officer adjudging the aforesaid penalty, immediately to take measures to enforce the same, in the same manner as if a like penalty had been imposed by order of Court.

Government not liable for errors of the Courts of Justice, whether revenue officers be or be not employed in executing the court's order.

XXXVIII. It is hereby declared and enacted, that Government is not and shall not be held liable for any error or irregularity which may have occurred, or shall occur in any order, proceeding, or decree of any Court of Judicature, whether a Revenue, or other officer of Government may or may not have been, or shall or shall not be employed, in giving effect to the order, proceeding or decree, deemed to be erroneous or irregular. Nor shall any officer of Government be held liable for any thing done or suffered in conformity with an order, proceeding, or decree of a Court as aforesaid; and if any person or persons shall sue Government, or any officer of Government, for any thing done or suffered under an order, proceeding, or decree of Court as aforesaid, such person or persons shall be nonsuited, with costs. The same principle is and shall be held applicable to all orders, proceedings or decrees, made, held, or passed by any public officer, in virtue of powers vested in him for the judicial cognizance of any pleas, suits, complaints, or informations whatsoever, unless otherwise specially provided.

This Regulation not to interfere with Regulation I. 1821.

XXXIX. Nothing contained in this Regulation shall be construed to limit or affect the powers and authorities conferred by Regulation I. 1821, upon the Sudder and Mofussil Commissioners, acting under the provisions of that enactment, in regard to the annulment of sales.

II.

REGULATIONS

Passed by the Governor in Council of *Fort St. George*, in the Year 1822,—N° I. to IX.,

---

A. D. 1822. REGULATION I.

A REGULATION for the more exemplary punishment of Robbery by open violence.—Passed by the Honourable the Governor in Council of Fort St. George, on the 5th March 1822.

Preamble

WHEREAS it is expedient and necessary that all cases of conviction of robbery by open violence, as defined in Clause first, Section III. Regulation XV. of 1803, should be referred to the Court of Foujdarry Adawlut, in the same manner as it is provided by Clause third of the same Section that certain cases of conviction of that crime shall be so referred; and that the Foujdarry Adawlut should be empowered to pass sentence of imprisonment and transportation for life, when the offender may appear duly convicted, and may not be liable to suffer death: the following rules have therefore been enacted:

Clause third, Section IV. Regulation XV. 1803, rescinded, except with regard to prisoners convicted before the promulgation of this Regulation

II.—Clause third, Section IV. Regulation XV. of 1803 is hereby rescinded, but the provisions contained in it shall be considered in force with respect to persons convicted of the crime therein specified, if perpetrated before the promulgation of this Regulation, and the Court of Circuit shall pass sentence accordingly in such cases, without reference to the Foujdarry Adawlut, unless the prisoner or prisoners appear deserving of imprisonment for life, in which case the trial shall be referred to that court.

Persons convicted (not capitally) of robbery by open violence to be sentenced by the Circuit Courts to receive 39 stripes, and be transported for life.

III.—All persons convicted of being concerned, as principals or accomplices, subsequently to the promulgation of this Regulation, in the crime of robbery by open violence, as defined in Section III. Regulation XV. of 1803, and not, under the Regulations in force, liable to a sentence of death, shall be adjudged by the Courts of Circuit and by the Court of Foujdarry Adawlut to receive thirty-nine stripes with a rattan, and to be imprisoned and transported for life, unless from any extenuating circumstances appearing on the trial, the stated punishment shall appear too severe; in which case the Court of Foujdarry Adawlut is authorized to mitigate the sentence, as in other cases left to the discretion of that Court by Clause fifth, Section IV. Regulation XV. of 1803; or to act in pursuance of Clause sixth of that Section, if the prisoner appear a proper object of mercy and pardon.

All convictions of robbery by open violence to be referred to the Foujdarry Adawlut.

But the prescribed sentence is first to be passed by the Court of Circuit.

IV. The Courts of Circuit shall refer to the Court of Foujdarry Adawlut, in the manner prescribed by the existing Regulations, the trials of all prisoners convicted of the crime of robbery by open violence, and liable to the punishment declared in the preceding Section. The Judge of Circuit, before whom the trial may be held, shall in all cases, pass sentence for the stated punishment, if the prisoner appear to him and to the law officer of the Court of Circuit to be duly convicted, whether by his free and voluntary confession, or by the testimony of credible witnesses, or by strong circumstantial evidence. But such sentence shall not be deemed final, nor shall any warrant be issued for carrying the same into execution, until it be confirmed by the Court of Foujdarry Adawlut. And if the Judge of

Circuit be of opinion that there are grounds for a mitigation or remission of punishment, he shall state the same in his letter to accompany the trial, as required by Clause third, Section VI. Regulation XV. of 1803.

A. D. 1822. REGULATION II.

A REGULATION to provide for the more effectual administration of Criminal Justice in certain cases: and to alter certain provisions of the Regulations now in force—Passed by the Honourable the Governor in Council of Fort St. George, on the 2d April 1822.

Preamble

THE provisions contained in Sections XIII. XIV. and XVIII. Regulation X. of 1816, which prescribe that the Criminal Judges shall cause to appear before the Court of Circuit all witnesses required by persons committed for trial, having been found to operate to the obstruction of public justice, and to the injury of individuals, by the abuse on the part of prisoners of the privilege of summoning witnesses; it is therefore desirable that this privilege should be subjected to certain restrictions. It is also considered advisable that provision should be made for authorizing Magistrates to apprehend vagrants, suspicious persons, and persons without visible means of honest livelihood, and persons of notoriously bad character; and, under certain rules and restrictions, to commit them to the custody of the Criminal Judge; and that authority should be given, under certain rules and restrictions, to the Criminal Judges to require security from parties against whom there may be ground for strong presumption, though not full proof, of a specific offence.—It is further deemed requisite for the ends of justice to modify and extend the provisions contained in Regulation VI. of 1811, for the punishment of persons convicted of forgery, or causing forgery; and to render the restriction contained in Section XXIX. Regulation IX. of 1816, against prosecutions of witnesses and parties in the Civil Courts for perjury and subornation of perjury, unless the officers presiding in those Courts shall be of opinion that there are grounds for such prosecutions, applicable to all charges of perjury or subornation of perjury against witnesses and prosecutors in the Criminal Courts.—And it further appears expedient to rescind such part of Section XX. Regulation XIII. of 1816, as requires that petitions addressed to the Criminal Courts shall be written on stampt paper. The following rules have therefore been enacted to be in force from the date of their promulgation:

Criminal Judges to have a discretionary authority in regard to summoning witnesses on behalf of prisoners who have confessed

II. *First.*—Whenever a prisoner who may confess before the Criminal Judge the offence with which he is charged, or may confirm a former confession thereof, shall require witnesses to attend on his behalf before the Court of Circuit, it shall be discretionary with the Criminal Judge to cause the attendance of any such witnesses, or not, according as it may or may not appear, from the nature of the case, that it admits of palliatory evidence.

Criminal Judges may limit the number of witnesses to be summoned on behalf of prisoners not confessing

Second.—In all other cases when a prisoner may desire the attendance of more than two witnesses on his behalf, the Criminal Judge is hereby authorized to question the prisoner as to the facts which he wishes to establish by their testimony—Whenever it may appear that the testimony required is irrelevant to the prisoner's defence, the Criminal Judge shall not comply with the requisition of the prisoner; and when several distinct facts are required to be established, which may be material to the defence, the Criminal Judge shall have authority, if he see proper, to summon only two witnesses to each point.

Criminal Judges to record their reasons for refusing to summon witnesses desired by prisoners The Judges of Circuit on perusal of the proceedings shall call for any further procurable evidence considered to be material to a prisoner's defence, and eventually postpone the trial

Third.—The Criminal Judge shall record on his proceedings the grounds on which he may exercise the discretion vested in him by this Regulation, of refusing to summon a witness or witnesses on behalf of a prisoner to appear before the Court of Circuit—The Judge of Circuit, on his arrival at the zillah station, shall peruse the proceedings held against any prisoner or prisoners who may have required the attendance of witnesses not summoned, and if it shall appear to him that procurable evidence, material to a prisoner's defence, has not been called, he shall require the attendance of the witness or witnesses, if it be probable that their attendance can be procured in time to admit of their evidence being taken before the close of the Sessions; and should the attendance of such witness or witnesses not be procurable within that period, he shall postpone the trial until the ensuing Sessions of jail delivery, and issue the necessary orders on the subject to the Criminal Judge.

Magistrates & Heads of District Police authorized to apprehend vagrants

Magistrates may commit Vagrants or take Security from them.

III. *First.*—It shall be competent to the magistrate, and to the heads of district police acting under his orders, to apprehend, when it may seem proper, any vagrant, or suspicious person, or person without ostensible means of honest livelihood, or person of notoriously bad character; and the magistrate at his discretion shall either take security for the appearance of such person, or issue his warrant for such person to be received and detained in the custody of the Criminal Judge.

Court of Circuit may release persons so confined.

Second.—It shall however be competent to the Judge of Circuit, at any Sessions of jail delivery, after making such inquiry as he may deem satisfactory, to order the release of any person so confined, either with or without security for his future appearance and good behaviour.

Magistrates may also release persons so confined.

Third.—Persons so confined shall also be liable to be released at the discretion of the magistrate by whom they were committed.

Criminal Judges may require security from persons strongly suspected, though not convicted, of criminal offences

IV. *First.*—In all cases brought before a Criminal Judge, where adequate proof for conviction of a specific offence may not be adduced against a prisoner, but he shall appear to be under strong suspicion of any act of criminality, it shall be competent to the Criminal Judge to direct that such prisoner be detained in custody until he shall give sufficient security for his future good behaviour and appearance when required.

Criminal Judges to report to the Courts of Circuit all instances of the exercise of the power given them above

Second.—Whenever a Criminal Judge may exercise the authority vested in him by the foregoing Clause, he shall submit a report to the Court of Circuit at the ensuing Sessions of jail delivery, specifying the names of persons confined by him on a requisition of security which they may have been unable to furnish, the circumstances of each case, with the proceedings held thereon, and the amount of security required.

Court of Circuit empowered to release persons so imprisoned, and to reduce the amount of security required.

Third.—The Judge of Circuit, after inspecting the proceedings, and making any further inquiry deemed necessary, shall pass such order as may appear just and proper, either for the release of the prisoner on his moochilka, or for reducing the amount of security required, (if this appear excessive) or for the further detention of the prisoner.

Modification of Regulation VI. of 1811

V. *First.*—The provisions contained in Regulation VI. of 1811, for the punishment of persons convicted of forgery, or procuring forgery, are hereby declared subject to the following modifications:

Persons convicted of having forged, or procured to be forged, counterfeit coin, to be sentenced to *Tasheer*, and to receive 30 stripes, and be banished for 14 years.

The Judge of Circuit may, on sufficient grounds, pronounce a mitigated sentence

Second.—The Judge of Circuit before whom a prisoner may be convicted of having forged, or procured to be forged, any counterfeit coin in imitation of any of the gold, silver, or copper coins of the British Governments in India, or of any coin usually received as money in the British possessions in India, shall, provided he concur with the law officer in the conviction of the prisoner, sentence him to be publicly exposed in the mode commonly denominated *Tasheer*, to receive thirty stripes with a rattan, and to be imprisoned in banishment from the district for the period of fourteen years; unless the Judge of Circuit, on consideration of all the circumstances of the case, shall be of opinion that any part of the prescribed punishment is too severe, in which case he shall be authorized to mitigate the sentence to imprisonment with or without *Tasheer* for any period not less than seven years.

In certain cases the trial to be referred to the Foujdarry Adawlut.

Third.—If in any instance the Judge of Circuit shall be of opinion that a further mitigation or remission of punishment is necessary, he shall, provided he concur in the conviction of the prisoner, pass sentence according to the preceding clause, and refer the trial, with his sentiments at large, for the final sentence of the Court of Foujdarry Adawlut, who shall have authority to mitigate the sentence at their discretion.

Persons convicted of uttering counterfeit coin to be sentenced to imprisonment for seven years.

VI. *First.*—Any person who shall be convicted before a Court of Circuit, or the Court of Foujdarry Adawlut, of paying, or tendering in payment, counterfeited coin, knowing the same to be counterfeit, shall be sentenced to imprisonment for such period, not exceeding seven years, as the Judge of Circuit, or the Court of Foujdarry Adawlut may deem adequate to the circumstances of the case; and shall also, in all instances of an aggravated nature, or of a repetition of the offence, after being once convicted and punished, be sentenced to public exposure by *Tasheer*. In every instance of a repetition of the offence after a previous conviction and punishment, the Judge of Circuit shall further, at his discretion, sentence the offender to receive corporal punishment not exceeding thirty stripes with a rattan.

Punishment on a repetition of the offence

Second.—The provisions in the preceding Clause are declared applicable to persons convicted of clipping, filing, drilling, defacing or debasing the gold or silver coin of the British Government in India, or any coin usually received as money within the British possessions in India.

The foregoing provisions declared applicable to cases of clipping or defacing the coin

VII. If any person subject to the jurisdiction of a zillah magistrate shall be convicted of having in his or her possession any counterfeited coin, and shall not show good and sufficient cause for having such counterfeit coin in his or her possession, the person so convicted shall be sentenced by the magistrate to pay a fine equal to four times the nominal value of such counterfeit coin in his or her possession; one moiety of which fine shall, on receipt of it, be given to any informer or informers who may have given information of the offence, and established the truth of it. In the event of such fine not being paid, the person convicted shall be confined in the zillah jail for such period as the magistrate may direct, not exceeding six months.

Persons convicted of having in their possession counterfeit coin punishable by fine

Distribution of the fine

Imprisonment if the fine be not paid.

VIII. The restriction contained in Section XXIX. Regulation IX. of 1816, against prosecutions of witnesses and parties in the Civil Courts for perjury and subornation of perjury, unless the officers presiding in those courts shall be of opinion that there are grounds for such prosecutions, is hereby extended to all charges of perjury, or subornation of perjury, against witnesses and prosecutors in the Criminal Courts.

The restriction regarding the commitment of persons for perjury before Civil Courts declared applicable to the same offence before Criminal Courts.

IX. In modification of the provisions contained in Section XX. Regulation XIII. of 1816, it is hereby enacted, that petitions on unstampt paper shall be received by the Criminal Judges, the assistants to the Criminal Judges, the Courts of Circuit, and the Court of Foujdary Adawlut.

The Criminal Courts authorized to receive petitions on unstamped paper

---

A. D. 1822. REGULATION III.

A REGULATION for extending the operation of Regulation VII. of 1818.—Passed by the Honourable the Governor in Council of Fort St. George, on the 28th May, 1822.

WHEREAS under the provisions of Regulation VII. of 1818, no persons can be admitted to appeal, or to answer in appeal as paupers, excepting such as have originally sued as pauper plaintiffs: And whereas cases have occurred in which parties in original suits, as well plaintiffs as defendants, have become paupers before the filing of a petition of appeal; and it is deemed just and proper to admit such persons to the benefit of the pauper regulation: And whereas it is proper that special appeals should be admitted in pauper cases under the general restrictions prescribed regarding such appeals, the Governor in Council has been pleased to enact the following Regulation, to be in force from the date of its promulgation.

Preamble.

II. *First.*—Plaintiffs in original suits who did not sue as paupers shall be admissible to appeal in *formâ pauperis* from the judgments passed in such original suits.

Original plaintiffs, not paupers, admissible to appeal as paupers

Second.—Defendants in original suits shall be admissible to appeal in *formâ pauperis* from the judgments passed against them in such suits.

Original defendants admissible to appeal as paupers

Third.—The admission of persons to appeal, or defend in appeal, under the foregoing clauses, shall be in conformity with the rules prescribed in Sections V. and VI. Regulation VII. of 1818, for persons desirous of being admitted to plead as paupers in original suits, and subject to the restrictions contained in Section X. of that Regulation in respect to the admission of appeals from pauper plaintiffs.

Such persons are to be so admitted in conformity with the general rules of the pauper regulation.

Fourth.—It shall be the duty of the Court competent to admit the appeals in the cases above provided for, to satisfy themselves, in the event of objections being made by the other party to the admission of the applicant as a pauper, that the property of which the said applicant was possessed at the time when the original suit was instituted, has passed from his hands, or has otherwise been rendered unavail-

The Courts to satisfy themselves of the bona fide poverty of persons applying to appeal under this Regulation.

able to him, either by the operation of the judgment from which he is desirous of appealing, or of some other judgments, or generally of causes over which he had no control.

The rules of the pauper regulation, with the present modifications, declared applicable to special appeals.

III. The rules contained in Regulation VII. of 1818, which the modifications thereof provided in this Regulation, are hereby declared to be applicable to the admission of special appeals.

A. D. 1822. REGULATION IV.

A REGULATION declaring the true intent and meaning of Regulations XXV. XXVIII. and XXX. of 1802, so far as they relate to the rights of the actual cultivators of the soil. —Passed by the Honourable the Governor in Council of Fort St. George, on the 12th day of July 1822.

Preamble.

DOUBTS having occurred regarding the meaning and construction of the Regulations enacted for ensuring the prompt realization of the rents due and payable by the actual cultivators of the soil, either to the officers of Government on the public account, or to zemindars or others entitled to receive the same by inheritance or purchase, or in virtue of special grants issued by the ruling authority on terms of a permanent or temporary settlement of the land revenue; it has become necessary for Government to declare, that in passing those Regulations it had no intention of authorizing any infringement or limitation of any established rights of any class of its subjects whatsoever, such rights being properly determinable by judicial investigation only. The Honourable the Governor in Council has therefore been pleased to pass the following Regulation;

Regulations XXV XXVIII. and XXX. of 1802, declared not to define or infringe the rights of landholders or tenants.

II. It is hereby declared that the provisions of Regulations XXV. XXVIII. and XXX. of 1802, were not meant to define, limit, infringe or destroy, the actual rights of any description of landholders or tenants; but merely to point out in what manner tenants might be proceeded against, in the event of their not paying the rents justly due from them; leaving them to recover their rights, if infringed, with full costs and damages, in the established courts of justice.

A. D. 1822. REGULATION V.

A REGULATION for vesting in Collectors authority to take primary cognizance in certain cases of suits cognizable summarily by the Zillah Courts under Regulations XXVIII. and XXX. of 1802, and otherwise modifying the provisions of those Regulations—for rescinding Regulation XXXII. of 1802,—and for vesting in Collectors the summary cognizance of cases which under that enactment were cognizable by the Zillah Courts—and for authorizing Collectors to refer all such suits to Punchayets for decision, and for extending the provisions of Regulation XII. of 1816.—Passed by the Honourable the Governor in Council of Fort St. George, on the 19th of July 1822.

Preamble.

WHEREAS the provisions of Regulations XXVIII. and XXX. of 1802, have been found insufficient for the due protection of the ryots, inasmuch as the powers they vest in landholders are prompt and summary, while efficient redress for the abuse of those powers must frequently be sought by the institution of a regular suit, to the expense of which the means of ryots in general are inadequate; and it has been deemed expedient to vest collectors with authority to take primary cognizance of all cases which under the provisions of those Regulations are cognizable by summary suit in the Courts of Adawlut, provided the officers of Government are not parties in the case, and to authorize the said collectors to enforce in the first instance the penalties prescribed by those Regulations, their decisions being subject to revision by the civil courts when parties may choose to have recourse thereto: And whereas the provisions of Regulation XXXII. of 1802, do not afford a remedy sufficiently prompt in cases of sudden and violent disputes respecting the occupancy, cultivation, or irrigation of land; and it is expedient to rescind that Regulation, and to refer to the collectors of the Revenue the summary inquiries which under it were conducted by the Adawlut of the Zillah: And whereas disputes as well regarding arrears of rent, and rates of assessment, as regarding the occupancy and cultivation of land, may occasionally be adjusted by punchayets to the relief of the ryots and the furtherance of the ends of justice; and it is deemed proper to enable collectors, with the consent of the parties, to refer all such cases to punchayets for decision, and to extend the provisions of Regulation XII. of 1816, the Honourable the Governor in Council has therefore enacted the following rules to be in force from the date of their promulgation:

II. *First.*—Collectors are hereby authorized to take primary cognizance, by summary process, of all cases which, under the provisions of Regulations XXVIII. and XXX. of 1802, were summarily cognizable by the Zillah Courts, with the exception of the cases referred to in Sections XXXV. and XL. Regulation XXVIII. of 1802; and they shall have power to assess such damages, penalties and costs as may appear to them proper, but not exceeding in any case the amount limited in the particular provision of the Regulation under which each case was respectively cognizable in the Zillah Courts.

Collectors authorized to take primary cognizance of suits of the nature of those summarily cognizable by the zillah Courts under Regulations XXVIII and XXX of 1802

Second.—Provided however, that no damages, penalties or costs, which a collector may award under this Section, shall be levied until after the expiration of the period hereinafter limited, during which an appeal may be preferred against the said collector's decision.

No damages or costs to be levied till the period for appeal has elapsed

III. *First.*—No property attached under Regulation XXVIII. of 1802, for the discharge of arrears of rent or revenue, shall be sold, unless pottahs shall have been granted, or tendered, and refused; nor until previous notice shall have been given to the collector of the district, and leave shall have been obtained from him for the sale.

Property attached for arrears not saleable, unless pottahs have been exchanged or tendered

Second.—Where property may be sold contrary to this rule, the defaulter shall be discharged of the arrear for which such attachment has been made; the property attached shall be restored to him, or the value thereof made good by the distrainer, where it may have been damaged or injured, or may not be forthcoming, and distrainers shall further pay damages, not exceeding the loss sustained in consequence of such attachment, with costs of suit.

Penalty for breach of the foregoing rule

IV. *First.*—When property may be attached for arrears of rent or revenue under Regulation XXVIII. of 1802, the distrainer shall without delay give notice thereof to the collector, either direct, or through the tahsildar, or the principal revenue officer of the district.

Notice of property seized for arrears to be immediately given to Collectors

Second.—Property so distrained shall not be sold until the expiration of thirty days from the day on which the notice of attachment referred to in the preceding Clause was given; and until the expiration of that time the defaulter shall be at liberty to appeal to the collector against the distraint of his property.

Appeals against distraint may be made within 30 days.

Third.—If no appeal be made, the distrainer shall have authority, at the expiration of the thirty days after notice given as above provided, to cause the distrained property to be sold in conformity with the Regulations.

After thirty days, and no appeal, the property attached may be sold

Fourth.—If an appeal be made, the collector shall without delay institute a summary inquiry into the correctness of the demand for which the property has been attached; and if it shall appear that the amount claimed is justly due, he shall issue his order for the sale of the property to the district moonsiff, or other authorized person. If a sum less than the amount demanded shall appear on inquiry to be due, the collector shall order so much property only to be sold as may be sufficient to discharge the debt.

In case of appeal, Collectors to hold a summary inquiry.

Fifth.—When notice shall not have been given of property attached for arrears of rent or revenue, as provided in Clause first of this Section, within thirty days after the attachment, the defaulter shall be discharged from the arrear for which the distraint was made, and the distrainer shall be subject to the penalties prescribed in Clause second, Section III. of this Regulation.

If notice of distraint be not given to the collector, the defaulter shall be discharged of his arrear. Further penalty.

V. The periods of the fifth and eighth day referred to in Section XXI. Regulation XXVIII. of 1802, shall be calculated from the day on which the order of the collector for the sale may reach the village where the property is under attachment.

Periods of notice how to be reckoned.

VI. In the cases stated in Clause second, Section XXXIV. Regulation XXVIII. of 1802, where there may be reason to apprehend the immediate elope-

If a defaulter be about to abscond, the proprietor may apply to the district moonsiff or tahsildar

ment of the defaulter or his surety, the proprietor or farmer shall present the petition prescribed in that Section to the district moonsiff or tahsildar, who shall proceed thereon as the native commissioner is directed to proceed by the said Clause.

Certain penalties when levied to be paid to the ryots on whom exactions have been made.

VII. Whenever the penalties for exactions referred to in Section VII. Regulation XXX. of 1802, shall be levied, the amount of the exaction shall be returned to the ryot, together with such further proportion of the penalty as may appear a reasonable compensation for the injury sustained; provided however, that such penalties shall be held in deposit during the period limited for appeal by Clause first, Section XVI. of this Regulation.

Proprietors not to grant lands of ryots under Sec. X. Regulation XXX. of 1802, without leave from the collector.

VIII. *First.*—The lands of under-farmers or ryots shall not be granted to other persons by proprietors or farmers under the provisions of Section X. Regulation XXX. of 1802, until such proprietors or farmers shall have made application to the collector, and obtained his leave for that purpose.

If just rates have been offered by the proprietor, and refused, the Collector shall sanction the ejection of the ryot; if otherwise, collector how to proceed.

Second.—If the collector on examination find the rates of the pottah tendered by the proprietor or farmer to be just and correct, the under-farmer or ryot shall be ejected under the collector's order unless he assent to the terms; but if the rate shall exceed the just rate prescribed, an order shall be issued by the collector to the proprietor or farmer, prohibiting the ejectment, and requiring the issue of a pottah within one month from the delivery of the order to him, under penalty for delay as provided in Section VIII. Regulation XXX of 1802.

Suits for arrears to be rejected by courts unless the tender of a pottah, or the mutual consent of parties, be proved.

IX. Suits preferred in the zillah court for arrears of rent or revenue from under-farmers or ryots, or their sureties, where no pottah has been granted, shall be dismissed with costs, unless it shall be proved to the satisfaction of the Judge that a pottah had been tendered, and refused, or that both parties had agreed to dispense with the use of pottah and muchilka.

Rescission.

X. Regulation XXXII. of 1802, is hereby rescinded.

Persons forcibly dispossessed of their lands or crops to bring their case before the collector, and how he is to proceed thereon.

XI. Whenever any persons who may lay claim to lands or crops in the possession of others, shall forcibly take possession of the disputed lands or crops, the party dispossessed shall be at liberty to bring the case before the collector of the district, who, upon proof of such forcible ejection, and of the actual previous possession by such ejected party, shall cause the disputed lands or crops to be restored to the complainant, or the value of the crops to be paid to him, if they shall be damaged, destroyed, or not forthcoming; and shall further award against the offender such costs and damages as may be equitable.

Claimants of disputed lands or crops using force, and causing death, or any personal injury thereby, to be forwarded to the criminal judge.

XII. *First.*—Where claimants of disputed lands or crops, or other persons assisting such claimants, may in taking, or attempting to take, forcible possession of the disputed lands or crops, kill or wound, or violently beat any person, the collector shall take cognizance of such violent acts as magistrate, and shall proceed according to the Regulations and circumstances of the case, forwarding the offenders, and all persons aiding or assisting them in the act, to the Criminal Judge, to be by him dealt with according to the provisions of the general Regulations.

Criminal judge may grant to the injured parties a portion of any fine levied.

Second. The Criminal Judge shall exercise his discretion in granting to parties injured by the violent acts of claimants of disputed lands, the whole or any part of the fine which they may levy from the aggressors under the preceding Clause.

If in the absence of the actual claimants, their agents or servants are guilty of such conduct, the same mode of procedure is to be observed

Where the parties acted by the orders or with the knowledge of their principals, the principals are to be proceeded against as if present

XIII. Where the agents, servants or dependents, or other persons in the employment of claimants of disputed lands or crops, may take, or attempt to take, possession thereof by force, and the actual claimant may not be present, the Criminal Judge shall proceed against the parties actually present in the manner herein directed, in the event of their having killed, wounded, or violently beaten, any person. Where it may be proved that the parties immediately concerned in taking or attempting to take possession of disputed lands or crops, acted by the orders, or with the knowledge or connivance, of the actual claimants, such actual claimants shall also be proceeded against in the Criminal Court in the same manner as if they had been present.

Where disputed lands and crops shall be contended for by persons armed, and death or wound ensue

XIV. Where claimants of disputed lands or crops may go armed with swords, sticks or other weapons, or give orders for, or connive at, other persons going so armed, to take possession of such lands or crops, and where the party in possession of such lands or crops, or other person having claim thereto, may use violent and unjustifiable means of defence beyond what is necessary to guard their own lives and persons, to prevent such claimants or armed persons from taking possession of the lands or crops, or to dispossess them by force; and where in consequence of such unjustifiable means of defence having been used affrays ensue, and people are killed, wounded, or violently beaten, on either side, the Criminal Judge shall adjudge the lands and crops in dispute to be forfeited to Government, and both claimants and other persons concerned or assisting in the affray shall be committed to prison, or to bail, (according to the circumstance of the case) to take their trial before the Criminal Court.

on either side, such lands and crops shall be forfeited to Government, and both parties be liable to a criminal prosecution.

XV. *First.*—The collector shall have authority to refer all disputes respecting arrears of rent or revenue, or respecting rates of assessment in money or kind, or of division in kind, as well as all questions of the right of occupancy or possession of lands or crops, which may be brought before him under this Regulation, to a district or village punchayet for decision, provided both parties agree to that mode of settlement.

Disputes of the nature contemplated in this Regulation may be referred to punchayets.

Second.—The collector shall have authority, in cases of disputes which may be brought before him under this Regulation, to exercise the powers vested in village and district moonsiffs under Regulations V. and VII. of 1816.

Collectors may exercise the powers vested in village and district moonsiffs by Regulations V and VII. of 1816.

XVI. *First.*—An appeal shall be open to the Zillah Judge, by regular suit, from all decisions passed by the collector under this Regulation, provided the petition of appeal shall be presented to the Zillah Judge within thirty days from the date of the collector's decision.

Appeal from the collector's decisions under this Regulation lies to the zillah court if preferred in 30 days

Second.—Decisions of the collectors are not to be set aside for want of form, or for irregularity in their proceedings, but on the merits only.

Collector's decisions not to be set aside for informality.

XVII. When suits respecting disputed lands and crops may be referred to a punchayet, the collector, on the application of either party, shall have authority to put one party immediately in possession, and maintain him in it until a decision shall be given.

Collectors in certain cases may put one of the litigant parties in possession of disputed lands or crops.

XVIII. The provisions of Section IV. Regulation XII. of 1816, shall be extended to all disputes between ryot and ryot, respecting the occupying, cultivating and irrigating of lands in districts, whether permanently settled or otherwise.

Section IV. Regulation XII of 1816 extended.

XIX. Plaintiffs and defendants shall be allowed to employ a relative, a servant, or a dependent, to act in their behalf in suits which may be brought before the collectors of zillahs under this Regulation.

Who may be employed as vakeels for parties under this Regulation.

XX. Suits instituted before the collectors under this Regulation shall be exempt from all stamp duties, and fees of every description, whether decided by themselves, or under their orders by village or district punchayets.

Suits under this Regulation to be free from stamp duties.

XXI. Proceedings before collectors under this Regulation shall be summary, and summonses to parties and witnesses may be either verbal or in writing at the discretion of the collector.—It shall only be necessary for the collector to keep an abstract diary in the language of the district in the following form.

Form of proceedings under this Regulation

Names of Parties.	Abstract of Plaint.	Abstract of Decision.	Date of Delivery.

A. D. 1822. REGULATION VI.

A REGULATION for extending the powers of the Criminal Judges and of the Courts of Circuit in the trial of persons charged with breaking into houses and other places of habitation, or into warehouses, or other places used for the custody of property, with an intent to steal; or charged with theft, or with buying or receiving stolen property, knowing the same to have been stolen; or charged with escape from jail or other place of confinement.—Passed by the Honourable the Governor in Council of Fort St. George, on the 19th of July 1822.

Preamble.

WHEREAS much of the time of the Judges of Circuit is occupied in investigating the offences of breaking into, or attempting to break into, houses, tents or other places of habitation, or into warehouses, or other places used for the custody of property, with an intent to steal; of receiving or buying stolen goods knowing the same to be stolen; and of some other offences which, from their character, and from the circumstances attending their perpetration, do not very frequently demand severe punishment: And whereas the prosecutors and witnesses in such cases are exposed to great distress and inconvenience in being compelled to attend not only during the inquiry into such cases before the Criminal Judges, but subsequently during the trial before the Court of Circuit: And whereas the prisoners themselves in such cases are sometimes subjected to a prolonged detention in custody previously to their trial at the Sessions: And whereas some of the inconveniences above noticed will be obviated, and the ends of criminal justice will be more promptly and effectually obtained, by investing the Criminal Judges and the Courts of Circuit with certain powers with regard to the trial and punishment of persons charged with and convicted of such offences; the following rules have been enacted, to be in force from the date of their promulgation:

Rules for the guidance of criminal judges on the trial of offenders charged with breaking into houses, &c. with intent to steal.

II. *First.*—The Criminal Judges shall be guided by the following rules whenever individuals may be apprehended and brought before them on a charge of having committed the offence of breaking into or attempting to break into a dwelling house, tent, or other place of habitation, by night or by day, with an intent to steal; (but without open violence such as to constitute the crime of robbery by open violence, as defined in Clause first, Section III. Regulation XV. of 1803,) or with the offence of breaking into or attempting to break into any warehouse, storehouse, or other building or place used for the custody or preservation of property, either by night or by day, with an intent to steal, (but without open violence,) or of being present, aiding and abetting, in the commission of any of the offences above specified; or, although not present, of having procured or caused the perpetration of any of those offences by hire, counsel or command; or of having in any manner confederated with the actual perpetrators of them in pursuance of a preconcerted plan.

If such offences be attended with acts of violence and certain other circumstances of aggravation, the criminal judge to commit the offenders to the court of circuit.

Second.—If the perpetration of any of the offences enumerated in the preceding Clause (not amounting to the crime of robbery by open violence) shall be accompanied with wounding, burning, corporal injury, or other aggravating act of personal violence; or if the prisoners, or any of the prisoners, concerned in the offences described in the preceding Clause shall appear to have been before convicted of burglary, robbery, or other heinous crime; or if the prisoners, or any of them, shall appear to be persons of notoriously bad character, or shall be charged with having committed the offence while employed in the office of watchmen, guards or police officers; or if property be stolen of which the value or amount shall exceed the sum of one hundred Madras rupees, in all such cases it shall be the duty of the Criminal Judge to commit the whole of the prisoners who may appear from the evidence adduced to have been concerned in the offence, to take their trial before the Court of Circuit at the ensuing Session.

Punishment to be awarded by courts of circuit on such offenders when convicted.

Third. In cases of conviction before the Court of Circuit of individuals charged with any of the offences above specified, if the act be accompanied with an attempt to commit murder, whether by wounding, burning, strangling, drowning, throwing into a well, or by any other means, or be accompanied with wounding, burning, or corporal injury to any person or persons in such degree as to endanger life, the Judge of Circuit shall refer the trial to the Court of Foujdarry Adawlut, and the offender or offenders who may be convicted to the satisfaction of that Court of having been concerned as principals or accomplices in the crime, shall be liable to the same punishment as is prescribed by Section III. Regulation I. of 1822, for robbery by open violence. If the Judge of Circuit be of opinion that there are grounds for a mitigation of the prescribed punishment he shall state the same for the consideration of the Foujdarry Adawlut.

Fourth.—In cases of conviction before the Courts of Circuit of any offences specified in the Clause second of this Section, wherein the house-breaking and theft, or attempt to commit the same, may not have been accompanied with an attempt to commit murder, nor with wounding, burning, or other corporal injury, in such degree as to endanger life, but may have been attended with wounding, or other corporal injury in a less degree, the Judge of Circuit, provided he concur in the conviction of the offender, shall, without reference to the Foujdarry Adawlut, adjudge him to suffer such punishment as may appear adequate to the offence, not exceeding thirty-nine stripes with the rattan, and imprisonment for fourteen years in banishment from the district where the prisoner may have resided.

Sentence to be passed by the court of circuit when the offences specified in Clause Second may not have been accompanied with an attempt to commit murder, or with wounding, or other corporal injury endangering life

Fifth.—Nothing in the above Clause shall be construed to empower the Courts of Circuit to pass and order execution of a sentence of conviction and punishment without reference to the Foujdarry Adawlut, in any case of robbery by open violence, as defined in Clause first, Section III. Regulation XV. of 1803, or to authorize an enhancement of the penalties declared by the Regulations in force for burglary or theft, when not accompanied with wounding or other corporal injury, nor with an attempt to commit murder by strangling or other means, as described in Clause third of this Section.

Explanation of the preceding Clause as not extending to robbery by open violence, nor meant to authorize an enhancement of the existing penalties for burglary or theft, when not accompanied with the specified acts of aggravation

Sixth.—If from the investigation held by the Criminal Judge in the cases described in Clause first of this Section, there shall appear reason to believe that any prisoner apprehended and brought before him has been guilty of the offence charged against him, but that such offence has not been attended with any of the circumstances of aggravation specified in Clause second of this Section, the Criminal Judge shall in addition to the evidence which may be adduced on the part of the prosecution, take the defence of the prisoner, and the evidence of the witnesses who may be designated by the prisoner in support of his or her defence; and after a full and deliberate investigation, shall proceed, without reference to the Court of Circuit, to pass sentence of acquittal or conviction; if the prisoner be convicted, the Criminal Judge is hereby empowered to sentence him to imprisonment with hard labour for a period not exceeding two years, and to corporal punishment, not exceeding thirty stripes of the rattan.

Criminal judges empowered to take cognizance of the offence of breaking into houses, &c if unattended with the aggravating circumstances noticed in Clause Second

Punishment which the criminal judges may inflict

III. *First.*—Under the existing Regulations, the Criminal Judges are empowered to sentence prisoners convicted before them of theft, to imprisonment for a period not exceeding six months, with corporal punishment not exceeding thirty rattans; and in cases demanding a more severe punishment, they are required to commit the prisoners for trial before the Court of Circuit; the following rules are now enacted for extending the powers of the Criminal Judges in the punishment of prisoners convicted of theft, and for defining the cases which are to be cognizable respectively by the Criminal Judges, and by the Courts of Circuit.

Rules for extending the powers of criminal judges in the punishment of persons convicted of theft, and defining cases cognizable respectively by criminal judges and courts of circuit.

Second.—In all cases of theft, whether in a house, warehouse, or other place, or from the person of another (not coming within the provisions of the Regulations in force for the punishment of robbery by open violence, or the provisions of Clause first, Section II. of this Regulation,) if the theft, or the attempt to commit the same, shall have been accompanied with an attempt to commit murder, or with wounding, burning, severe corporal injury, or other aggravating act of personal violence, it shall be the duty of the Criminal Judge to commit the whole of the prisoners who may appear from the evidence adduced to have been concerned, either as principals or accomplices in the offence, to take their trial before the Court of Circuit at the ensuing Session; the Criminal Judge shall also commit for trial before the Court of Circuit any prisoners charged with theft (although not attended with the aggravating circumstances above mentioned,) who from their notoriously bad character, or from their having been before convicted of a heinous offence, or from

In what cases of theft offenders must be committed for trial before the court of circuit.

Criminal judges may commit prisoners accused of theft for trial before the court of circuit, although not charged with using personal violence.

Penalties to which such persons are liable on conviction before the court of circuit.

any other peculiar circumstances of the case may appear to him deserving of a severer punishment than the Criminal Judge is authorized to inflict under the following Clauses of this Section; such persons, if convicted on trial before the Court of Circuit, will be liable to penalties prescribed in Clauses third and fourth, Section II. of this Regulation for the offences therein specified.

Criminal judges to try and decide in all other cases of theft.

Third.—With exception to the cases mentioned in the preceding Clause, the Criminal Judges shall hear and determine, without reference to the Courts of Circuit, all other cases of theft which may be brought before them; and after having duly considered the evidence which may be adduced on the part of the prosecution and of the prisoner, shall pass sentence of acquittal or conviction.

Punishment to which the prisoners are declared liable in cases of theft cognizable by criminal judges if attended with aggravating circumstances.

Fourth.—In cases of theft cognizable by the Criminal Judges under the foregoing Clause, if the amount or value of the property stolen shall exceed fifty Madras rupees; or if the persons committing the theft shall have been before convicted of theft, burglary, robbery, or other heinous offence; or if the prisoner shall have committed the offence while employed in the office of watchman, guard or police officer; or be a servant of the person from whom the property may have been stolen, or a servant employed in the house in which the theft may have been committed, as well as in all cases of cattle-stealing, the Criminal Judge shall be empowered, on proof of the guilt of the prisoner, to sentence him to imprisonment with hard labour for such period as may appear proper, not exceeding two years, and to corporal punishment, not exceeding thirty stripes with a rattan.

Criminal judges to pass sentence on the prisoners in other cases of theft.

Fifth.—In other cases of theft, not included in the foregoing provisions, the Criminal Judges shall pass sentence on the prisoners under the powers vested in them by Section VII. Regulation X. of 1816.

Rules for the guidance of criminal judges in investigating charges against receivers and buyers of stolen property.

IV. *First.*—The Criminal Judges shall be guided by the following rules in the investigation of charges preferred against individuals for the offence of receiving or buying stolen goods, cattle, jewels, money, or effects of whatever description, knowing the same to have been stolen.

Purchasers or receivers of stolen property obtained under aggravating circumstances to be tried before the court of circuit.

Second.—All prisoners who may appear to the Criminal Judge, from the investigation held by him, to be guilty of having purchased, or received plundered or stolen property of any description, knowing at the time of purchasing or receiving the same that such property had been obtained in the perpetration of robbery by open violence, or of theft, accompanied with any of the aggravating circumstances described in the Clause second, Section II. or Clause second, Section III. of this Regulation, shall be committed by the Criminal Judge to take their trial before the Court of Circuit; and such persons if convicted thereof shall be sentenced by the Judge of Circuit, according to the circumstances of the case, to such period of imprisonment as may appear proper, in no instance however, exceeding fourteen years, and to corporal punishment not exceeding thirty-nine stripes of the rattan.

Punishment on conviction

Notorious offenders and common receivers of stolen property obtained without violence shall be also tried before the court of circuit.

Third.—The Criminal Judge shall also commit for trial before the Court of Circuit any prisoner charged with the offence of buying or receiving stolen property of whatever description, knowing at the time that such property had been stolen, although the property may not have been obtained in the perpetration of theft accompanied by any of the aggravating circumstances described in Clause second, Section II. and Clause second, Section III. of this Regulation, if the prisoner shall have been before convicted of the offence of buying or receiving stolen property, or of robbery, burglary, theft, or other heinous crime, or shall appear to be an habitual and professional receiver of stolen property, or a person of notoriously bad character; and such person shall, upon being duly convicted before the Court of Circuit, be liable, to such punishment, within the limitations prescribed in the preceding Clause of this Section, as the Court of Circuit may judge proper to direct, on a consideration of all the circumstances of the case.

Criminal judges empowered to hear and decide all other cases in which prisoners may be charged with buying or receiving stolen property.

Fourth.—With exception to the cases above mentioned, the Criminal Judges shall hear and determine, without reference to the Courts of Circuit, all other cases in which individuals may be charged with the offence of buying or receiving stolen property of whatever description, knowing it at the time to have been stolen; or with the offence of having in their possession property obtained by theft or robbery, and knowing, at a period of time subsequently to its first coming into their possession, that such property had been so obtained, notwithstanding which, they may have kept the stolen property in their possession without restoring it to the owner, or giving information to the local police officer or Magistrate; in such cases the Criminal Judge, after having duly considered the evidence in support of the prosecution, the defence of the prisoners, and the evidence of the witnesses designated by the prisoners, shall proceed to pass sentence of conviction or acquittal; if the prisoners be convicted, the Criminal Judge is hereby empowered to sentence them to imprisonment with hard labour for a period not exceeding in any case two years, and to corporal punishment not exceeding thirty stripes of the rattan.

Criminal judges how to proceed in such cases

Fifth.—It is hereby explained, that persons charged with the offences specified in the preceding Clauses of this Section may be brought to trial and sentenced to punishment, although the actual perpetrators of the theft or robbery may not have been convicted; provided, however, that the fact of the theft or robbery having been committed be established, and it be proved that the purchaser or receiver knew that the property in question had been obtained by theft or robbery.

Receivers may be tried and punished although the actual thief or robber may not have been convicted

Proviso

V. *First.*—Clause first, Section IX. Regulation XV. of 1803, is hereby rescinded.

Rescission.

Second.—The cases of convicts, or of prisoners ordered to be confined till they give security for good behaviour, who may effect their escape while under sentence or order of imprisonment from a jail or other place of confinement, or from the custody of their guards, shall be cognizable by the Criminal Judge; and upon conviction, the Criminal Judge shall be empowered to sentence the offenders to corporal punishment, not exceeding thirty stripes with a rattan, and (if sentenced to a limited period of imprisonment,) to suffer such further period of imprisonment beyond the unexpired term of their original sentence, as he may judge proper; provided, however, that such additional imprisonment shall in no case exceed the period of two years. If the prisoner be in confinement under an order to find security for good behaviour he may be sentenced to imprisonment for a specific term, not exceeding two years.

Convicts or prisoners confined for security, effecting their escape, to be tried by the criminal judge

Punishment on conviction.

Proviso

Third.—The cases of prisoners apprehended and detained in custody under examination on charges of a criminal nature, but not admitted to bail, who may effect their escape from a jail or other place of confinement, or from the custody of their guards, shall also be cognizable by the Criminal Judges; and such prisoners being duly convicted of the offence in question shall be liable to a sentence of imprisonment in no case exceeding six months.

Prisoners escaping from confinement while under examination to be tried and sentenced by the criminal judge

Fourth.—The rules contained in the two preceding Clauses shall not however be considered applicable to the cases of convicts or other prisoners, who in effecting their escape, or in attempting to effect their escape, shall be guilty of such a degree of violence towards their guards or other individuals, as may in its consequences involve the wounding or severe personal injury of any person or persons. In all cases of that nature it shall be the duty of the Criminal Judge to commit the offender to take his trial before the Court of Circuit.

The foregoing rules declared inapplicable to convicts who in escaping from confinement may be guilty of acts of serious personal violence

Criminal judges how to proceed in such cases.

VI. In addition to the calendars of persons apprehended and discharged, or punished, which the Criminal Judges are now required to submit to the Court of Circuit at the period of the Sessions, it shall be the duty of the Criminal Judges to furnish a separate list of all persons who may have been sentenced by them under the provisions of this Regulation to a longer period of imprisonment than six months, showing the names of the prisoners, the crimes with which they may have been charged, and the sentences passed upon them; and it is hereby declared that the powers vested in the Courts of Circuit and in the Foujdarry Adawlut, with regard to the revision of sentences, and orders passed by the Criminal Judges, shall be considered applicable to all sentences and orders passed by the Criminal Judges under this Regulation.

Criminal judges to submit separate lists to the courts of circuit of all persons sentenced by them to a longer imprisonment than six months

The Foujdarry Adawlut and courts of circuit empowered to revise all such sentences and orders passed by the criminal judges.

A. D. 1822. REGULATION VII.

A REGULATION for rescinding Regulation I. of 1809, and Regulation V. of 1811, and for declaring that the appointment and removal of the native public servants of Government shall be regulated by such orders as the Governor in Council may from time to time see fit to issue:—Passed by the Honourable the Governor in Council of Fort St. George, on the 12th day of July 1822.

Preamble.

THE rules now in force relative to the appointment and removal of native servants in the several public departments under the Government having been found inconvenient in practice, as tending to impose unnecessary restraints in the removal of servants who have appeared unworthy of confidence; it has been deemed proper to rescind Regulation I. of 1809, and Regulation V. of 1811, and to leave it to the Governor in Council from time to time to issue such orders as to him may seem proper for the guidance of the heads of public offices, relative to the appointment and removal of the servants of the several departments: The following rules have therefore been enacted, to be in force from the date of their promulgation:

Rescissions.

II.—Regulation I. of 1809, Regulation V. of 1811, Section II. Regulation XII. of 1802, Section III. Regulation XIII. of 1802, Section IV. Regulation III. of 1808; such part of Section III. Regulation XXIII. of 1802, as regards the appointment and dismissal of the keepers of judicial records, and such part of Section XXXVI. Regulation II. of 1803, as relates to the appointment and dismissal of native public servants, are hereby rescinded.

The appointment and removal of public servants declared to be subject to such rules as the Governor in Council may from time to time issue.

III. *First.*—The appointment and removal of the ministerial officers of the Courts of Judicature, and of the native public servants in the revenue, commercial, and other public departments under the Government, shall be subject to such rules and orders as the Governor in Council in his discretion may from time to time see fit to issue.

The appointment and removal of law officers to remain as now, with the Sudder Adawlut.

Second.—Provided however, that the court of Sudder Adawlut shall continue, as at present, empowered to confirm the appointment, removal, and resignation of the law officers of the provincial and zillah courts.

A. D. 1822. REGULATION VIII.

A REGULATION to rescind Regulations III. of 1809, II. of 1810, and VI. of 1818, and to make provision for the investigatian of the conduct of the public officers of Government, European or Native, when necessary, in the way which in each particular case may be deemed most convenient:—Passed by the Honourable the Governor in Council of Fort St. George, on the 6th December 1822.

Preamble.

WHEREAS the rules of Regulations III. of 1809, and II. of 1810, prescribing a particular course of inquiry on charges or information of corruption, embezzlement, or other high misdemeanor against the European public officers employed in the several civil departments under the Government, have been found to be inconvenient in practice, and otherwise objectionable, the Governor in Council has resolved to rescind those Regulations, and also Regulation VI. of 1818, supplementary to the before-mentioned Regulations, and to enact the following rules to be in force from the date of their promulgation:

Rescissions.

II.—Regulations III. of 1809, II. of 1810, and VI. of 1818, are hereby rescinded.

When investigation into the conduct of the servants of Government is required, the Governor in

III.—Whenever it shall appear to the Governor in Council to be necessary that an investigation should be made into the conduct of any officer of the Government, European or Native, relative to any alleged or supposed corruption, embezzlement, breach of trust, or other gross malversation, or high misdemeanor, or violation of public

ublic duty, the Governor in Council will determine by what persons and in what ay such investigation shall be made and conducted, on consideration of the prati- lar circumstances of every such case.

Council will determine the mode of investigation

IV.—Whenever the Governor in Council shall deem fit to appoint one or more ommissioners to investigate any such case, the person or persons intrusted with e inquiry shall have the same power to summon witnesses, and to administer aths, as are possessed by the courts of Adawlut under the general Regulations; and e same penalties shall be attached to the refusal to attend or to give evidence as itnesses, and to the crime of perjury before such Commissioner or Commissioners, s before the several courts of Adawlut.

Commissioners of inquiry to have power to summon witnesses and administer oaths.

A.D. 1822. REGULATION IX.

A REGULATION for empowering Collectors to take primary cognizance of cases of malversation in revenue affairs; for prescribing the rules to be observed in such investigations, and in the recovery of money embezzled or corruptly received by public servants, and others amenable to the Collectors jurisdiction; for providing for the admission and trial of appeals from the summary decisions of Collectors in such cases; for declaring the powers of Criminal Judges and Courts of Circuit in the punishment of the offences specified in this Regulation; and for rescinding Regulation XXXIII. of 1802:—Passed by the Honourable the Governor in Council of Fort St. George, on the 20th December 1822.

WHEREAS it is necessary to the security of the revenues of Government, and to the welfare of the people, that collectors should be empowered to make summary inquiry and decision in cases in which it may come to their knowledge that the public servants under their superintendence, or the officers of the village establishments, or any other persons in their behalf, or on any assumed or pretended authority, have embezzled the public money, or made unauthorized collections, or received bribes, or extorted money or other valuable consideration, and that collectors should have power to enforce the judgments they may pass in such cases: And whereas the trial of appeals from such judgments cannot always be made with the necessary expedition, nor without public inconvenience by the regular courts, and it is therefore expedient to provide that in certain cases commissioners may be appointed to try such appeals: And whereas it is necessary to declare the powers to be exercised by criminal judges and Courts of Circuit in the punishment of the offences of bribery and corruption, and the other offences specified in this Regulation: And whereas the provisions of Regulation XXXIII. of 1802, have been found inefficient for the purpose for which they were intended; and it is therefore deemed proper to rescind that Regulation, the Honourable the Governor in Council has therefore enacted the following rules to be in force from the date of their promulgation:

Preamble.

II. *First.*—Collectors of the land revenue are hereby authorized to take primary cognizance of all cases, in which persons of any of the several descriptions hereinafter specified shall be accused or suspected of having wilfully committed, or allowed to be committed, any of the acts of malversation particularized in clause second of this section; and on proof of the guilt of the accused or suspected persons, to inflict on them such punishments as by this Regulation the said collectors are authorized to adjudge.

Collectors authorized to take primary cognizance of cases of malversation in revenue affairs.

Second.—The several classes of the offences cognizable by collectors under this Regulation are declared to be as follows, viz.

Specification of the offences cognizable under this Regulation

1st. Exacting or corruptly receiving, either directly, or through the means or agency of any other person, any money, or other valuable consideration, for doing or procuring to be done any public or official act for which no such payment or gift could be lawfully demanded or received, or for the purpose, or under pretence of obtaining or securing some undue gain, benefit or advantage, to the giver of such money or other valuable consideration.

Exacting or corurptly receiving money, &c. for the perfomrance of official acts.

2d. Levying extra and unauthorized cesses or extra collections of any kind not sanctioned by the Regulations, nor by the orders of Government, and intended for

Levying extra collections.

the private and personal use and profit of the persons levying or causing the same to be levied.

Embezzling public money.

3d. Embezzling or fraudulently misappropriating the public money.

Making false entries in the public accounts.

4th. Making false or fraudulent entries in the public accounts or other records, either in regard to the receipt or expenditure of public money in any of the departments under the collector's superintendence, or concerning the extent, value, classification or assessment of land.

Falsifying, destroying, or concealing public accounts.

5th. Knowingly and wilfully falsifying, destroying, or concealing public accounts, or vouchers or documents of any kind immediately relating to the receipt or expenditure of the public money.

Descriptions of persons subject to the collector's authority under this Regulation.

Third.—The classes or descriptions of persons in regard to whom the collector shall have authority to exercise the powers of summary investigation, decision and punishment, granted to them by this Regulation, are declared to be as follows, viz.

1st. All the native servants of the collectors public establishments.

2d. All head inhabitants, curnums, and their gomastahs, or persons doing the duty for them, and all other village officers and servants within their respective collectorates.

3d. All persons not on the public establishment, whether being in the private service of a collector, sub-collector, or assistant to a collector, and pretending to act under his or their authority, or whether assuming the character of public officers, or acting or pretending to act under the authority or on the behalf of revenue servants or village officers, who shall in any way interfere in the collection or disbursement of the public money, or who shall demand or receive money as public revenue, or as for revenue purposes, or shall exact or receive money, or other valuable consideration, under pretence of procuring some public act to be done, or some undue advantage to be given by public officers to the persons from whom such money or other valuable consideration shall have been taken.

Collectors empowered to summon witnesses and to require the production of documentary evidence.

III. *First.*—Collectors shall have power to summon before them as witnesses all persons whose evidence may appear necessary to the due investigation of the cases referred to in this Regulation, as well for as against the accused or suspected persons, and to require the production of documentary evidence. The summonses to be issued by collectors for this purpose shall bear their official seal and signature, and shall specify the time and place of the witnesses attendance, and if reference to documentary evidence be required, the summonses shall contain a requisition to the witnesses in whose possession they may be, to bring such documents along with them.

Collectors how to proceed if witnesses shall not attend, or refuse to give evidence.

Second.—If any person, after being duly summoned, shall not attend at the time and place appointed, or having attended and taken the oath required, shall refuse to give evidence, the collector, if it be proved to his satisfaction that the evidence of the person not attending or refusing to give evidence is material to the case, shall communicate the same, by means of the Government pleader, to the judge of the Zillah to the jurisdiction of which such person may be amenable; and the judge is hereby directed and required to proceed against such person not attending, or refusing to give evidence, in the same manner as if he had not attended, or had refused to give evidence in the Zillah Court.

Witnesses residing in other zillahs to be examined by the judge of the zillah in which they reside.

Third.—If any witness whose evidence is required by a collector shall reside out of the jurisdiction of the zillah to which the collector is amenable, the collector shall transmit written interrogatories to the judge of the zillah in whose jurisdiction the witness may reside, who shall procure the written answers of the witness to such interrogatories, in the manner prescribed in Section VII. Regulation III. of 1802, and shall return the same to the collector. Whenever a witness may be examined on interrogatories in conformity with the foregoing rule, whether on behalf of the Government, or of the accused, the opposite party shall have the right of transmitting cross interrogatories at the same time, and the answers of the witness thereto shall be taken and returned in like manner.

Cross interrogatories may at the same time be put

Investigations under this regulation to be summary.

IV. The investigations which collectors are authorized to make under this Regulation shall be summary.—Witnesses shall be examined on oath in the mode most binding on their consciences, or if persons of rank or caste that exempts them from taking an ordinary oath, then on a solemn declaration in the form prescribed by the Regulations in such cases. All documents produced in evidence shall be indorsed by the collector with his signature or initials, and marked with the date of their production. A summary of the defence shall be recorded, and the decision of the collector, with a brief statement of the grounds on which it is formed, shall be entered on the proceedings.

Rules of procedure

V. *First.* When persons of any of the descriptions mentioned in Clause Third, Section II, of this Regulation, shall be convicted before a collector, on an inquiry conducted under this Regulation, of any of the offences of the 1st, 2nd or 3d class specified in Clause Second of that Section, the collector shall have authority to sentence them to pay any sum not exceeding twice the amount of the money ascertained to have been extorted, unduly received, embezzled, or misappropriated.

Sentence which collectors may pass on persons convicted of the offences of the 1st, 2d, or 3d class specified in Clause Second, Section II. of this Regulation.

Second. After a judgment has been passed by a collector for the payment of money under the foregoing clause, the person against whom such judgment has passed shall be kept in custody until that judgment shall have been satisfied, first, in the collector's cutchery, and afterwards, if necessary, in the zillah jail as hereinafter provided.

Convicted persons to be kept in custody until the judgment has been satisfied.

Third. The judgments of collectors for the recovery of money under the preceding clause shall be executed in the same manner as decrees of the Courts of Adawlut, by a warrant under the official seal and signature of the collector, which shall specify the name of the person against whom the judgment has passed, the date of the judgment on the collector's proceedings, and the amount to be levied.—In the execution of this warrant, the property of the defaulter shall be seized wherever or in whose possession soever it may be found.—If property, which there is good reason to believe belongs to the defaulter, be claimed by any other person, the same shall nevertheless be attached by the officer charged with the execution of the warrant.—If the property so attached be moveable it shall be brought before the collector, or if not moveable, a full report thereof shall be made to the collector, who will hold a summary inquiry on the claim preferred, or refer such inquiry to a punchayet.—If the property be proved to belong *bona fide* to the defaulter, a particular account of its nature and value shall be entered on the collector's proceedings, after which he shall order it to be sold in like manner as the rest of the property attached under the warrant of execution.

The judgments of collectors how to be executed

Fourth. When any of the before-mentioned persons shall be convicted of any of the offences of the 4th or 5th class specified in Clause Second, Section II. of this Regulation, the collector shall impose such fine not exceeding 500 Arcot rupees, as may appear reasonable, and in default of payment of such fine he shall further sentence the offender to imprisonment for a period not exceeding 12 months, or until the said fine shall have been paid.

Perſons convicted of the offences of the 4th or 5th claſs ſpecified in Clauſe ſecond, Section II of this Regulation, how puniſhable.

VI. In cases where no examination of witnesses may be necessary, as where money actually delivered in charge to a public servant has been embezzled, or is not forthcoming when called for, and the amount embezzled has been clearly ascertained by reference to the public accounts of the Cutcherry, collectors shall make in writing a demand of the specific amount due by such public servant, and on refusing or neglecting to satisfy the demand, shall proceed to recover the amount by distraint and sale of the defaulter's property, and if necessary, by imprisonment of the defaulter's person, in the same manner as for the recovery of arrears of revenue.

In what caſes Collectors ſhall make demand in writing, of a ſpecific amount as due by a public ſervant, and further procedure in ſuch caſes.

VII. Whenever a collector shall be about to institute an inquiry under this Regulation, if he shall have good reason to believe that the accused or suspected person has concealed or collusively transferred, or is about to conceal or collusively transfer, his property for the purpose of evading such order or judgment as may eventually be passed after such inquiry, the collector is hereby authorized to call on such person to give security to such amount as he may consider sufficient to provide for the fulfilment of the judgment that may be eventually passed; and in default of good and sufficient security being given as required, he shall be authorized to attach the property of the accused or suspected person, and to hold the same in attachment until judgment shall have been passed in the said inquiry.—The warrant of attachment to be issued in such cases shall follow the property of the accused or

In what caſes Collectors may call on ſuſpected or accuſed perſons to give ſecurity for the fulfilment of the judgment that may be eventually paſſed.

And if ſuch Security be not given, Collector how to proceed.

suspected person wherever or in whose possession soever it may be found.—In the event of property seized under this section being claimed by any other person, the collector shall proceed as directed in like cases in Clause Third, Section V. of this Regulation.

In what caſes a Collector may iſſue Proclamation requiring property of defaulters to be ſurrendered to him.

VIII. In all cases where an accused or suspected person has refused or neglected to deposit security according to the collector's requisition as provided in Section VII. and in all cases where a judgment has passed under the provisions of Clause First Section V. of this Regulation, as well as where a defaulter has failed to satisfy the public demand against him, made under the provisions of Section VI. of this Regulation, it shall be competent to a collector to issue a proclamation, requiring all persons holding property belonging to the defaulter to surrender the same to him within a specified period, not being less than fifteen days after the publication of such proclamation; and after the expiration of such specified period, any person who may be convicted before the Criminal Judge (who is hereby empowered to take cognizance of such cases,) of having fraudulently concealed or collusively received such property, shall be sentenced by him to pay a fine not exceeding three times the amount of the value of the property so fraudulently concealed or collusively received by such person, and to be imprisoned until such fine be paid.—The Criminal Judge shall levy the amount of the fine by the usual process, and in the event of the full amount of the fine not being realized shall commit the offender to confinement in the zillah jail; provided however, that the period of confinement under this section shall in no case exceed twelve calendar months.

Perſons convicted before the Criminal Judge of concealing ſuch property, how to be puniſhed.

In what caſes Collectors may iſſue search-warrants for the diſcovery of papers or accounts.

Search-warrants how to be executed.

IX. If information on oath shall be given before a collector, that revenue papers or accounts, or papers and accounts respecting frauds or embezzlements in the public revenue, have been fraudulently concealed and deposited in any particular premises, he shall be competent to issue warrants under his own official seal and signature, addressed to one or more public officers of his establishment, commanding search to be made on the premises for the discovery of such papers or accounts. Search-warrants thus issued shall be executed between sun-rise and sun-set only, and where practicable, in the presence of two or more respectable inhabitants of the village in which the house or place authorized to be searched may be situated; a full and perfect list of all papers and other things whatsoever seized in virtue of such warrants shall be made out in duplicates on the spot, both copies shall be signed by the officer executing the warrant, and by the inhabitants or witnesses present; one copy of such list shall be given to the occupier of the house, or some person on his behalf, and the other shall be annexed to the warrant when returned to the collector. Provided, however, that nothing contained in these rules shall be construed to authorize any but females to enter the *Zenana*, or apartments of the women, in houses belonging to those classes whose women do not ordinarily appear in public.

Property how to be ſold in ſatisfaction of orders, and judgments of Collectors under this Regulation.

X. Whenever it may be necessary to sell property in satisfaction of an order or judgment of the collector under the provisions of this Regulation, the sale shall be conducted by the tahsildar, or other public servant to whom the collector may delegate that duty, and the rules of Sections XXI. XXII. XXV. XXVI. and XXVII. of Regulation XXVIII. of 1802, as far as they relate to the notification, publicity and fairness of such sales, shall be adhered to by the officer conducting the sale, who, if he shall neglect to observe those rules as far as they apply, and shall knowingly permit any unfair dealing, either in the appraisement or sale of such property, shall be liable to be fined by the collector, in such amount as may suffice to make good the loss sustained in consequence of the unfair practices which he may have so permitted, and in default of payment of such fine shall be committed to the zillah jail by the collector for a period not exceeding one year, or until such fine shall have been paid.

Judgments of Collectors not to be executed until ſanctioned by the Board of Revenue.

XI. No judgment passed by a collector under Section IV. of this Regulation shall be carried into execution until his proceedings shall have been submitted to the Board of Revenue, and have been sanctioned by them.

Collectors may pay to perſons from whom money has been unjuſtly received, the whole or part of ſums recovered.

XII. A discretionary authority shall be vested in collectors, subject to the approval and sanction of the Board of Revenue, to pay to persons from whom money has been exacted or unjustly received, the whole or such part of the sum recovered under the provisions of this Regulation as may appear proper on consideration of the circumstances of the case; provided moreover, that such persons shall be entitled in all cases to receive back whatever they may have so given to a public servant of Government, if they shall inform the collector, subordinate collector, or assistant of such exaction or undue receipt of money, within two months after its payment or delivery by the said informants.

Perſons who ſhall report exaction of money within two months to be repaid in all caſes.

XIII. *First.* Collectors are authorized to keep under restraint any persons against whom they may have instituted an inquiry under the provisions of this Regulation, either by placing peons over the dwelling-house of any such persons, to prevent their escape, or, if necessary, by confinement in the cutcherry; and if judgment be given against such persons, then to continue the restraint until the amount adjudged has been paid by them, or the amount realized by sale of the property attached in satisfaction of the order or judgment.

Perſons againſt whom an inquiry is going on under this Regulation, may be kept under reſtraint.

Second. In the event of no property of a person against whom an order or judgment has been passed under this Regulation, being forthcoming, or not sufficient to pay the amount due by him, the collector shall forward the defaulter or offender to the Zillah Court, and shall at the same time furnish the Government Vakeel of the said court with instructions to present a motion to the Judge for his confinement, until the amount due, which shall be distinctly stated in the said motion, shall have been discharged, or until the collector shall again move the court for his release. The zillah Judge shall receive such motion whether in or out of court, and shall order the confinement of the party accordingly, and the judge shall not discharge him from confinement, except on his paying the full amount mentioned in the collector's motion, or on application from the collector.

In what caſes defaulters or culpable perſons may be committed to the Zillah Jail.

XIV. *First.* Whenever a person, against whom a judgment or order of a collector shall have passed under the provisions of Section V. or Section VI. of this Regulation, shall conceive himself aggrieved by such decision, he shall be at liberty to present to the collector a petition addressed to the Governor in Council, which the collector shall forthwith forward to the Board of Revenue to be immediately submitted by them to the Governor in Council. The petition shall be written on unstampt paper, and shall state the grounds on which the petitioner deems himself aggrieved, and the redress or relief to which he considers himself entitled.

Perſons conceiving themſelves aggrieved by deciſion under this Regulation, may appeal by petition to the Governor in Council on unſtampt paper.

Second. On receipt of such petition, the Governor in Council, after making such inquiry as he may judge necessary, will either direct the relief prayed for by the petitioner to be granted, or will appoint a Commission to investigate the case as hereinafter provided, or will simply reject the petition by indorsement under the hand of the chief secretary, or secretary to Government, referring the party complaining to seek redress, if he think proper, in the established Courts of Adawlut.

The Governor in Council will direct the relief prayed for to be granted, or appoint a Commiſſion of Appeal, or refer the party to ſeek redreſs in the eſtabliſhed Courts of Adawlut.

XV. *First.* Whenever it shall appear to the Governor in Council that it would be inexpedient that a petition of the nature referred to in Clause First of the preceding Section should be referred for investigation to the zillah or provincial courts, he will appoint one or more Commissioners to revise the proceedings of the collector, and will order the Commission to sit at such place as may appear to be most convenient.

In what caſes a Commiſſion of Appeal will be appointed.

Second. A Commission appointed under this Regulation shall be vested generally with the same powers as Zillah Courts under the Regulations in force, so far as such powers are necessary to the full and efficient discharge of the duties to be executed. The proceedings of Commission are to be governed by the rules and maxims of justice, and in all points not expressly provided for in this Regulation, the provisions contained in the general Regulations are to be observed as far as they may be consistent and applicable.

Powers of Commiſſion appointed under this Regulation.

Third. The Commission shall call for and examine the proceedings and evidence recorded by the collector on the summary inquiry which preceded, and on a full consideration of the whole of the evidence shall decide whether the judgment or order passed by the collector, and appealed from, was just and equitable, or if otherwise, in what particulars it was erroneous; and shall order the repayment, with reasonable interest, of any sum which had been adjudged by the collector to be due and payable, but which the Commission shall find not to have been so due, and shall order the repayment of such sum, with reasonable interest; and if any property had been sold in satisfaction of such order or judgment of the collector, the

Commiſſion how to proceed.

how judgment to be given.

commission, in revising the order or judgment, shall determine the amount of compensation to be paid on account of such property so sold; and shall further have authority to adjudge such reasonable costs and charges as may appear sufficient to compensate the complainant for any loss or injury sustained, or for unjust detention of the complainant, or for actual charges or expenses incurred.

Commiſſion to forward their proceedings to the Governor in Council.

Fourth. When the proceedings shall have been closed, or as soon afterwards as circumstances will admit, the Commission shall forward the whole of the proceedings and evidence, with the final judgment on the case, to the Governor in Council.

The deciſions of Commiſſions final. Governor in Council to determine how compenſations when awarded, ſhall be paid.

Fifth. The decisions of Commissions under this Regulation shall be final. But it shall rest with the Governor in Council to determine, in the case of compensation being awarded under the foregoing Clause, whether the amount shall be paid from the public treasury, or whether, (as in cases where the proceedings of the collector on the primary inquiry shall appear to have been unfair and unjustifiable, or where he may appear to have been culpably negligent in regard to the mode of disposing of the complainant's property,) the whole or any part of such compensation shall be made good by the collector who conducted the primary inquiry and the proceedings, in execution of the summary judgment.

In what caſes property attached ſhall be held in attachment pending the appeal—If the party appealing give good ſecurity, he ſhall be releaſed from confinement, pending the inveſtigation in appeal.

Sixth. If the petition of appeal from a summary judgment of a collector passed under this Regulation be presented before the property which may have been attached has been sold, such property, or any part that may still be unsold, shall be held in attachment pending the appeal; and where the property attached may be sufficient for the security of the amount adjudged by the collector on the primary inquiry, or where the party appealing may give good and sufficient security for the ultimate fulfilment of the collector's judgment, he shall be released from confinement pending the investigation by the Commission.

Decree of the Commiſſion how to be executed.

Seventh. If the decree of the Commission confirm the judgment of the collector, the decree shall be executed in like manner as the decree of the Court of Adawlut; and if the amount finally adjudged be not paid, the appellant and his sureties, where he may have given the security of others, shall be committed to the zillah jail by an order of the Commissioner or Commissioners bearing his or their signature, and specifying the amount to be levied; and such order shall be a sufficient warrant to the Zillah Judge to receive such persons into the zillah jail; and to keep them there until the amount decreed against them be fully paid—or until the collector, under the orders of the Board of Revenue or of Government, apply for their release.

Suits grounded on proceedings of a Collector under this Regulation not to be received by Courts of Adawlut, unleſs the party complaining have been referred there by indorſement from the Governor in Council.

XVI. No suit grounded on the summary proceedings of a collector under this Regulation, either in the form of an original complaint against such collector, on account of any supposed injustice in conducting such proceedings, or of an appeal from his judgment, shall be received by any Court of Adawlut unless the plaint or petition is accompanied by the order referred to in Clause Second, Section XIV. or this Regulation, remitting the party complaining to seek his redress in the Courts of Adawlut.

Criminal Judges may puniſh perſons for the offences enumerated in Clauſes ſecond, third, fourth, fifth and ſixth of Section II. of this Regulation.

XVII. *First.* Criminal judges are hereby authorized to take cognizance of such cases as collectors may bring before them, where any of the persons mentioned in Clause Third of Section II. of this Regulation may be accused of having committed any of the offences enumerated in Clause Second of the same Section; and on conviction, to sentence such persons to imprisonment, in no case exceeding one year.

Criminal Judges may puniſh perſons for giving bribes to any public revenue officer or ſervant.

Second. Criminal Judges are likewise authorized to take cognizance of all cases where any person shall be charged with having given a bribe to any public officer or servant on the collector's establishment, or any head inhabitant, or other village officer; and on conviction to sentence such person to pay a fine not exceeding twice the amount of the bribe proved to have been paid, and in default of payment to suffer imprisonment for a period not exceeding one year, or until the fine be paid.

In caſes of an aggravated nature, Criminal Judges ſhall

XVIII. First. In cases of an aggravated nature brought before a criminal judge under the foregoing section, if he shall be of opinion that the sentence which he is authorized to inflict is not adequate to the punishment of the offence, he shall commit the parties to take their trial before the Court of Circuit.

commit the parties for trial before the Court of Circuit.

Second. The Court of Circuit are hereby authorized, on the conviction of any persons brought before them of any of the offences enumerated in Clause Second of Section II. of this Regulation, to sentence the offenders to imprisonment for a period not less than one year, nor exceeding five years, and with or without hard labour, as in consideration of all the circumstances of the case may seem proper.

Courts of Circuit authorized to puniſh for the offences enumerated in Clauſes ſecond, third, fourth, fifth and ſixth of Section II. of this Regulation.

XIX. Regulation XXXIII. of 1802 is hereby rescinded.

EAST INDIA AFFAIRS.

COPY OF ALL

CORRESPONDENCE

WHICH HAS TAKEN PLACE

ON THE SUBJECT OF

HINDOO INFANTICIDE,

And of all Proceedings of the Indian Government, with regard to that Practice;

1789——1820.

Ordered, by The House of Commons, *to be Printed,*
17 *June* 1824.

PART I.

Papers relating to Infanticide,
Practised by the Rajkoomars, Rajevansees, &c. in Benares and other parts of the Territories under the Bengal Presidency, and in the State of Oude: 1789 to 1820 - - - - - - pp. 5—16.

PARTS II. AND III.

Papers relating to Infanticide,
Practised by the Rajpoots, in the Districts of Kutch and Kattywar, within the Dominions of the Guicowar: 1800 to 1820 - - - pp. 17—128.

PART IV.

Papers relating to Infanticide
By drowning, practised by the Hindoos at Saugor and other places: 1794 to 1820 - - pp. 129, &c.

East India House,
30th April 1824.

W. Mc Culloch,
Examiner of Indian Correspondence.

PART I.

PAPERS relating to INFANTICIDE, practised by the Rajkoomars, Rajevansees, &c. in Benares and other parts of the Territories under the Bengal Presidency, and in the State of Oude: 1789 to 1820.

CONTENTS.

Extract of BENGAL REVENUE CONSULTATIONS, the 17th June 1789; containing, Extract from Mr. Duncan's Letter of 26th April, para. 58 à 62, noticing to Government the peculiarly wild and turbulent character of the Rajkoomars, inhabitants of Mehal Juanpore, in the province of Benares - - - - - - - p. 5

Extract of BENGAL REVENUE CONSULTATIONS, the 21st October 1789; containing, Extract from Mr. Duncan's Letter of 2d October, stating the difficulty which he experienced in keeping the District in peace, owing to the Rajkoomars, who were, he observed, remarkable for the practice of Infanticide - - - - - - p. 6

Extract of BENGAL REVENUE CONSULTATIONS, the 13th January 1790; containing, Extract from Mr. Duncan's Letter of the 26th December 1789, stating that he had effected an agreement with the Rajkoomars, within the Company's Provinces, by which he had bound them to relinquish Infanticide, as inconsistent with their own religious creed - - - - - - - - - - - - - - - ibid.

Extract from the RESIDENT'S PROCEEDINGS, with an Extract from the Bretim Bywunt Pooran, describing the heinous sin of the murder of female children - - p. 7

Form of the AGREEMENT for the renunciation of Infanticide, concluded by Mr. Duncan with the Rajkoomars - - - - - - - - - - - - p. 8

OBSERVATIONS on the Infanticide of Rajkoomars, by Sir John Shore, extracted from the 4th Volume of Asiatic Researches - - - - - - - - - - - ibid.

BENGAL REGULATION XXI. of 1795, Sec. 13, which declares certain immolations and Infanticide, as practised by Bramins and others in the Province of Benares, to be murder; and to subject the parties concerned therein, upon conviction, to the penalties of that crime - - - - - - - - - - - - - - - - - p. 9

BENGAL REGULATION VIII. of 1799, Sec. 2. - - - - - - - p. 10

Also, BENGAL REGULATION VIII. of 1803, Sec. 15, providing that persons convicted of Child-murder, &c. shall suffer death, notwithstanding the Futwas of the Mahomedan Law Officers - - - - - - - - - - - - p. 11

BENGAL REGULATION III. of 1804, Sec. 11, extending to the whole of the Provinces under the Bengal Government, the provisions of the preceding Regulations respecting Infanticide - - - - - - - - - - - - - - - - p. 12

Extract BENGAL JUDICIAL CONSULTATIONS, 8th March 1816: Extract Letter from Mr. T. Fortescue, Benares Judge of Circuit, dated 17th February 1816; noticing the turbulent character of the inhabitants of the Pergunnah Unglee, in Benares, as in a great measure ascribable to the prevalence of female Infanticide among them - -- p. 13

Extract Bengal Judicial Consultations, 12th July 1816: Extract Report of Mr. C. Smith, the 2d Judge of the Benares Circuit Court, dated the 12th January 1813; Noticing the turbulent character of the inhabitants of Unglee, and the probability that Infanticide is still prevalent among them, although practised with more secrecy than formerly; and that the Rajpoots are not the only tribe of Hindoos who practise it. p. 13

Extract, Bengal Judicial Consultations, 30th August 1816: Extract, Report of Mr. J. Shakespear, acting superintendent of police, Western Provinces, 30th April 1816; remarking on the continuance of the practice of Infanticide, and the mode and causes of it; also on its supposed extent, and the means of suppressing it, with the Answer of Government, and a reference of the subject to the Nizamut Adawlut. - - ibid.

Extract, Bengal Judicial Consultations, the 25th November 1817: Extract, Letter from W. Cracroft, Esq. Magistrate of Zillah Juanpore, 11th November 1817, proposing to collect materials for a Report on Female Infanticide, with a view to its suppression, directed to communicate with the Nizamut Adawlut - - - - - - p. 15

Extract, Bengal Judicial Consultations, 30th July 1819: Extract, Letter from W. Cracroft, Esq. Magistrate of Juanpore, to the Superintendent of Police in the Western Provinces, 5th May 1819, offering some observations on Female Infanticide, and proposing some further Regulations; but which, in the opinion of the Superintendent of Police, are not necessary - - - - - - - - - ibid.

For Parts II. and III. - - - - - - - *see* page 17
And for Part IV. - - - - - - - - *see* page 129

PART I.

Papers relating to INFANTICIDE, practised by the Rajkoomars, Rajevansees, &c. in Benares and other parts of the Territories under the Bengal Presidency, and in the State of Oude: 1789 to 1820.

Extract BENGAL REVENUE CONSULTATIONS, 17th June 1789.

Extract of a Letter from Mr. Jonathan Duncan, the Resident at Benares, to the Governor-General in Council, dated 26th April 1789.

PART I
Rajkoomars,
&c.
1789—1820

58.

FROM this degree of favourable description of the general state of the country, which truth and notoriety sufficiently vouch for, it is painful, but equally my duty, to describe the principal exceptions that have occurred, with the nature and causes of them, to the best of my knowledge.

59. The only very unfavourable instance of this kind that has come before me has happened in the Mehal of Juanpoor, and its immediate dependencies, which comprehend the Purgunnah of Juanpoor proper. The small ones of Raury and Augle (Unglee), the Salt Mehal of Zufferabad; together with two distinct Talooks, called Kereeat Dowst and Kereeat Mhera, and the independent frontier Talooka, of Singramow.

60. These lands, the productive Jumma of which amounts this year altogether to somewhat beyond three lacs of rupees, have always been rented to one person, which is, no doubt, partly owing to their mixed and blended local situation, added, perhaps, to a view of policy, in rendering the Amil there sufficiently powerful to enable him to over-awe and to realize the revenue from the peculiar race of men who inhabit that part of the said division, which more immediately borders on and communicates with the Nabob Vizier's country.

61. The people I here mean to describe consist of at least three distinct classes, which it is my duty to bring in this address to the knowledge of Government, that they may hereafter be treated as your Lordship in Council may think fit.

62. The first class is the tribe of Rajekoomars, who deduce their descent from Rajah Pethawra (in whom ended about 600 years ago the Chowhan dynasty of the Princes of Delhy), and from whose stock the present race of the Rajkoomars (who then also assumed this new family denomination) is believed to be sprung. It is said their numbers do not altogether exceed 40,000, most of whom inhabit, in nearly one society, the opposite line of our boundary, in his Excellency the Vizier's dominions; but unfortunately for the quiet of both countries they possess lands that pay about 20,000 rupees revenue in Augle and Kereeat Mhera, on our side. They originally were Rajpoots; and even exceed that tribe in the wildness of their notions, and peculiarity of their manners, scarcely owning any allegiance either to the Nabobs or our Government, and always ready to betake themselves to arms, which they are inured to from infancy, either in resentment of public or private wrongs, real or imaginary; at the same time, I am assured they have a point of honour, from which they do not deviate, and are famous for faithfully adhering to such engagements as they are pleased to enter into.

Extract Bengal Revenue Consultations, 21st October 1789.

Extract of a Letter from Mr. Jonathan Duncan, the Resident at Benares, to the Governor-General in Council; dated 2d October 1789.

THE use of sepoys will, I have every reason to believe, rapidly diminish in the general business of the collections. The parts of the country which are now the most disorderly are the Juanpore frontiers, for the reasons already detailed relative to the Rajkoomars and others, in that neighbourhood, concerning whom I am in daily expectation of receiving the instructions which your Lordship has signified the intention of Government to favour me with; till which, I have deferred proceeding to that quarter, or adopting the measures that I have had the honour of submitting to your Lordship's consideration, for maintaining as much peace among that obdurate and extraordinary race of men as they are capable of enjoying. But that proportion appears not to be great, for two of the principal of them, viz. Zalim Sing (beforementioned in my address of the 26th April) and Goordut, having lately levied their forces with a design to fight each other on our borders, I have been obliged to warn the commanding officer of Juanpore to be on his guard against their possible inroads; and although the appearance of peace between these men has since increased, yet we must not relax in our caution against what may happen, for I cannot rely on their moderation; and besides, what can be expected of men inured as they are by birth and education to the most atrocious deeds; for I am well assured, and it is indeed here generally believed, and being so, it is my duty not to keep such enormities, however sanctioned by usage, concealed from Government, that it is no unfrequent practice among the Rajkoomars to put their daughters, as born to them, to death, by immediately causing the mothers to starve them; whence this race of men do often, from necessity, marry into other Rajpoot families. The greatest exception which I can learn to exist against this melancholy truth is, that now and then the more wealthy Rajkoomars will sometimes spare and bring up their female issue, especially when they happen to have none of the male line. This horrid custom is said to exist also among some other tribes, more especially in the Vizier's dominions, and is thought to be founded in the Rajkoomar tribe on the inherent extravagant desire of independency entertained by this race of men, joined, perhaps, to the necessity of procuring a suitable settlement in marriage for these devoted females were they allowed to grow up; and the disgrace which would ensue from any omission in that respect. Nor is this species of atrocity of novel institution, for a similar principle, as existing among the Indians, was known by the ancient Greeks and Romans; and is still to be found noticed in their relations of this quarter of the world.

Extract Bengal Revenue Consultations, 13 Jan. 1790.

Extract of a Letter from Mr. Jonathan Duncan, the Resident at Benares, to the Governor-General in Council, dated 26th December 1789.

N° 44. Para. 11. I CANNOT conclude this address without mentioning, that having been lately through that part of the country where those of the Rajkoomar tribe reside, I have conversed with several of them, and having found, from their own confessions, that the custom of female child-murder has long been, and still continues, very prevalent among them, in the manner already noticed in my address of the 2d of October, I have prevailed on those situated within our frontier to agree to renounce in future this horrid practice, to which effect they have entered into the engagement, which will be found translated in the accompanying extract of my proceedings; and as there remain a few names to be yet affixed to this covenant, it is still circulating among the parties, and I shall hereafter mention the number of the names of the subscribers; to increase which, and further to promote the salutary object in view, I have written concerning it to Lucknow; and as this baneful habit is not alone confined to the Rajkoomars, but extends (though not in a degree so prevalent) to the tribe called Raghuvansa, who reside in our Pergunnah of Mongra, and Talooka of Chandwack, and in other parts, I have taken measures for their signing a separate similar engagement, from which I have very sanguine hopes that this system of infanticide will be put a stop to; or be at least greatly lessened, as all the Rajkoomars I conversed with did, at the time that they admitted the fact, fully acknowledge its atrocity; for which they had only to plead the great expense of procuring suitable matches for their daughters, if they allowed them to grow up; yet it does appear, and ought therefore for the honour of human nature to be here specified, that in several cases, paternal affection, or some other circumstances, have prevailed on the fathers of Rajkoomar families to bring up one or more of their female issue; though the instances where above one daughter has been spared, are (as far as I can judge from sundry questions put to those people during my few days halt among them,) but very rare; and I only heard of one general exception of a whole village, the inhabitants of which, who are all of this tribe, had (as my Rajkoomar informant observed,) sworn, as he supposed, or at least solemnly pledged themselves to each other, to bring up their females: as a proof of which, he added, that there were now to be seen several Rajkoomar old maids in the village in question; since, from the great expense hitherto usually incurred by this tribe in their marriages, the parents had been unable to dispose of those women in that way, by procuring husbands for them.

580.

P. S. Since writing the above, the Rajkoomar renunciation of letting their daughters perish has been received, and it is subscribed by all those of that tribe in this part of the country, including Zalem Sing, and Goordut Sing, the latter of whom is the only one of the subscribers who disallows, by the words of his signature, of having been guilty of this crime. I have sent a copy of the original engagement to the Amil of Juanpoor, with directions to him to see it enforced, and to apprehend and send into Benares, to take his trial, any Rajkoomar who shall be guilty thereof hereafter: of all which I have apprized that body of men accordingly.

I have also circulated a similar subscription in this Pergunnah of Gurwarah, from finding that its inhabitants, who are all Doorgavansas, or descendants of one common ancestor, called Doorg, are addicted more or less to the same practice of destroying their female infants.

(Signed) *Jon* *Duncan*, Register.

N° 3.

Extract from the PROCEEDINGS of the RESIDENT at BENARES, 23d December 1789.

N° 47
Resident's proceedings about the Rajkoomar's killing their infant female children.

THE Resident having, in the present circuit, had occasion further to satisfy himself concerning the prevalence of the practice of the Rajkoomars killing their infant daughters, or rather allowing them to die, by denying them all sustenance from their birth, (as already noticed to the Governor-General in Council, in his address of the 2d October last), has, whilst among those persons, (who principally dwell in this neighbourhood, viz. in Kereeat Mhera, and Anglee), procured to be extracted the following denunciations from one of the Poorans against this criminal practice, (which the Resident does find, by the present and voluntary confession of several of the said Rajkoomars, to be general, though not universal among them), and with a view to restrain them all from it in time to come, he has drawn out, in Persian and Hindoo, the engagement, of which the English translation is hereunder recorded; which engagement has already been signed, and is principally promoted by Suhkil Sing, and Bulwant Sing, of Anglee, and by Oodwunt Sing, of Kereeat Mhera, all three of the Rajkoomar tribe; and they are now causing, or procuring it to be signed by all their brethren.

Translation of an Extract from the Bretim Bywunt Pooran.

Let all the four casts of Brahmin, Khetry, Bys and Sooder, know that the killing of a woman is the greatest of crimes; and that the person guilty of such act, having gone into the nerk or hill called Kal Sooter, shall remain there without nourishment, and be gnawed by worms for as many years as there are hairs on the woman's body, and shall remain there always in pain and misery; and afterwards, being born again in the lesser casts, shall become a leper for the same number of years; and thereafter becoming of the cast of Sooder, shall be afflicted with the zukhma, or vomiting of blood. Being again born of that cast, he becomes the servant or valet of a brahmin, by which he becomes exonerated.

'In the same Pooran it is written, that causing abortion is equal to killing a brahmin. It is distinguished by the name of broon hettea, or foetus-killing.

The following form of Agreement is framed, to be entered into by the Rajkoomars:

WHEREAS it hath become known to the Government of the honourable English East India Company, that we of the tribe of Rajkoomars do not suffer our female children to live: and whereas this is a great crime, as mentioned in the Bretim Bywunt Pooran, where it is said, that killing even a fœtus is as criminal as killing a brahmin; and that for killing a female or woman, the punishment is to suffer in the nerk or hill called Kal Sooter, for as many years as there are hairs on that female's body; and that afterwards that person shall be born again, and successively become a leper, and be afflicted with the zukhma: and whereas the British Government in India, whose subjects we are, have an utter detestation of such murderous practices, and we do ourselves acknowledge that, although customary among us, it is highly sinful, we do therefore hereby agree not to commit any longer such detestable acts; and any among us who (which God forbid) shall be hereafter guilty thereof, or shall not bring up and get our daughters married, to the best of our abilities, among those of our cast, shall be expelled from our tribe, and we shall neither eat or keep society with such person or persons, besides suffering hereafter the punishments denounced in the above pooran and shaster.

We have therefore entered into this agreement; dated 17th December 1789.

Further remark about the progress of the subscription.

The number of subscribers to the engagement now circulating for the signatures of the Rajkoomars, within the Company's dominions, will be recorded in a few days hence, when the subscription will probably be finished.

Similar measures taken to deter the Raghuvànsas, or descendants of Raja Ray, from the like practices.

As this practice of infant homicide prevails (though, as it is said, in a much less degree) among the Raghuvansas of Chundwich and Mongra, in this zemindary, the Resident has taken measures to procure from them a similar subscription as from the Rajkoomars, and the further progress of the business will be hereafter noticed.

A true Extract.

(signed) *J. Duncan*, Resident.

OBSERVATIONS of Sir John Shore, now Lord Teignmouth, on the Infanticide of the Rajkoomars; in an Extract from a Paper on the Customs and Practices of the Hindoos, printed in the 4th volume of the Asiatic Researches.

THAT the practice of Infanticide should ever be so general as to become a custom with any sect or race of people requires the most unexceptionable evidence to gain belief; and I am sorry to say, that the general practice, as far as regards female infants, is fully substantiated with respect to a particular tribe on the frontiers of Juanpore, a district of the province of Benares, adjoining to the country of Oude. A race of Hindoos called Rajkoomars, reside here; and it was discovered in 1789 only, that the custom of putting to death their female offspring by causing the mothers to starve them, had long subsisted, and did actually then very generally prevail amongst them: the Resident at Benares, in a circuit which he made through the country where the Rajkoomars dwell, had an opportunity of authenticating the existence of the custom from their own confessions; he conversed with several: all, unequivocally admitted it, but all did not fully acknowledge its atrocity; and the only reason which they assigned for the inhuman practice was the great expense of procuring suitable matches for their daughters if they allowed them to grow up. It is some satisfaction to add, that the custom, though general, was not universal, as natural affection, or some other motive, had induced the fathers of some Rajkoomar families to bring up one or more of their female issue; but the instances where more than one daughter had been spared, were very rare. One village only furnished a complete exception to the general custom; and the Rajkoomar informant, who noticed it, supposed that the inhabitants had sworn, or solemnly pledged themselves

PART I.
Rajkoomars,
&c
1789—1820.

selves to each other, to bring up their females; in proof of his assertion in favour of the village in question, he added, that several old maids of the Rajekoomar tribe then actually existed there, and that their celibacy proceeded from the difficulty of procuring husbands for them, in consequence of the great expenses attending the marriages of this class of people.

It will naturally occur to the Society to ask by what mode a race of men could be continued under the existence of the horrid custom which I have described. To this my documents enable me to reply, partly from the exceptions to the general custom, which were occasionally admitted by the more wealthy Rajekoomars, more particularly those who happened to have no male issue, but chiefly by intermarriages with other Rajepoot families, to which the Rajekoomars were compelled by necessity.

A prohibition enforced by the denunciation of the severest temporal penalties would have little efficacy in abolishing a custom which existed in opposition to the feelings of humanity and natural affection; and the sanction of that religion which the Rajekoomars professed was appealed to in aid of the ordinances of civil authority; upon this principle, an engagement, binding themselves to desist in future from the barbarous practice of causing the death of their female children, was prepared, and circulated amongst the Rajekoomars for their signature; and as it was also discovered that the same custom prevailed, though in a less degree, amongst a smaller tribe of people, also within the province of Benares, called Rajebunses, measures were adopted at the same time to make them sensible of its iniquity, and to procure from them a subscription similar to that exacted from the Rajekoomars.

Extracts from REGULATION XXI. of 1795, intituled, a Regulation for preventing Brahmins in the province of Benares establishing koorhs, wounding or killing their female relations or children, or sitting dhurnah; and for preventing the tribe of Rajekoomars in that province killing their female children. Passed, by the Governor-General in Council on the 28th August 1795; corresponding with the 14th Bhadoon 1202, Bengal era; the 28th Bhadoon 1202, Fussily; the 14th Bhadoon 1202, Willaity; the 28th Bhadoon 1852 Sumbut; and the 11th Suffer 1210, Higeree.

THE reverence paid by the Hindoos to Brahmins, and the reputed inviolability of their persons, and the loss of, or prejudice to, caste, that ensues from proving the cause of their death, have in some places in the province of Benares, and more especially in the Pergunnahs of Kuntit and Budhoee, been converted by some of the more unlearned part of them into the means of setting the laws at defiance, from the dread and apprehensions of the persons of the Hindoo religion, to whose lot it must frequently fall to be employed in enforcing against such Brahmins any process or demands on the part of Government. The devices occasionally put in practice under such circumstances by these Brahmins are lacerating their own bodies, either more or less slightly, with knives or razors; threatening to swallow, or, sometimes actually swallowing, poison, or some powder which they declare to be such; or constructing a circular enclosure called a koorh, in which they raise a pile of wood, or of other combustibles, and betaking themselves to fasting, real or pretended, place within the area of the koorh an old woman, with a view to sacrifice her by setting fire to the koorh on the approach of any person to serve them with any process, or to exercise coercion over them on the part of Government, or its delegates. These Brahmins, likewise, in the event of their not obtaining relief within a given time, for any loss or disappointment that they may have justly or unjustly experienced, also, occasionally bring out their women or children, and, causing them to sit down in the view of the Peon who is coming towards them on the part of Government, or its delegates, they brandish their swords, and threaten to behead or otherwise slay these females or children on the nearer approach of the Peon; and there are instances, in which, from resentment at being subjected to arrest or coercion, or other molestation, they have actually not only inflicted wounds on their own bodies, but put to death with their swords the females of their families, or their own female infants, or some aged female procured for the occasion. Nor are the women always unwilling victims; on the contrary, from the prejudices in which they are brought up, it is supposed that in general they consider it incumbent on them to acquiesce cheerfully in this species of self devotement, either from motives of mistaken honour, or of resentment and revenge; believing that after death they shall become the tormentors of those who are the occasion of their being sacrificed. On similar principles, these Brahmins, to realize any claim or expectation, such as the recovery of a debt, or for the purpose of extorting some charitable donation, frequently proceed either with some offensive weapon, or with poison, to the door of another inhabitant of the same town or village, and take post there in the manner called dhurna; and it is understood, according to the received opinions on this subject, that they are to remain fasting in that place until their object be attained; and that it is equally incumbent on the party who is the occasion of such Brahmin's, thus sitting to abstain from nourishment until the latter be satisfied. Until this is effected ingress and egress to and from his house are also more or less prevented, as, according to the received opinions, neither the one nor the other can be attempted but at the risk of the Brahmin's wounding himself with the weapon, or swallowing the powder or poison, with which he may have come provided. These Brahmins, however, are frequently obliged to desist, and are removed from sitting dhurna by the officers of the courts of justice, without any ill consequence resulting, it having been found by experience that they seldom or ever attempt to commit suicide, or to wound themselves or others after they are taken into the custody of Government. The rules and measures adopted for putting a stop to these abuses, and for preventing the revival of the still more savage custom, which until within these few years had been generally prevalent amongst the tribe of Rajekoomars inhabiting the borders of the province near Juanpoor, of destroying their infant female children, by suffering them to perish for want of sustenance, are hereby enacted, with modifications, into a regulation.

Sec. 13. In the month of December 1789, the tribe of Rajkoomars having bound themselves to discontinue the practice of causing their female infants to be starved to death, it is now accordingly ordained, that from the establishment and opening of the city and zillah courts, and of the court of circuit in Benares, if any Rajkoomar shall designedly prove the cause of the death of his female child by prohibiting its receiving nourishment, as set forth in the preamble to this Regulation, or in any other manner, the magistrate, on receiving information thereof upon oath, or such other information or proof as he shall deem sufficient to render the charge highly probable, shall cause such Rajkoomar to be apprehended in the manner prescribed, and make the inquiry ordered in Section 5, Regulation IX*, 1793; when, if it shall appear to the magistrate that the crime has been actually committed, and that there are grounds for suspecting the prisoner to have been concerned in the perpetration of it, the magistrate shall cause him to be committed to prison, to be tried before the court of circuit; and shall at the same time take all the other precautions required in the section and regulation last quoted, relative to securing the attendance of the original complainant or informant, and of the witnesses; and the prisoner shall be tried accordingly, in the manner directed in Regulation IX, 1793, and Regulation XVI, 1795, with respect to other cases of murder.

Extract from REGULATION VIII, of 1799, intituled, a Regulation for certain modifications of the Mahomedan Law in cases of Murder; and to explain parts of Regulation XXI, 1795, and Regulation V, 1797, in cases of Dhurna. Passed by the Right honourable the Governor-General in Council, on the 10th October 1799; corresponding with the 26th Assin 1206, Bengal era; the 26th Assin 1207, Fussily; the 26th Assin 1207, Willaity; the 26th Assin 1856, Sumbut; and the 10th Jemaul-ul-Awul 1214, Higeree.

THE provisions contained in Regulation IV, 1797, have prevented the obstruction to public justice, which, in the administration of the Mahomedan criminal laws, had been found to arise from the influence allowed by them, in cases of murder, to the heirs of the slain; under which influence the murderer, though fully convicted, might escape the punishment due to his crime by the pardon of, or a compromise with, such heirs of the deceased as were entitled to demand kissas, or retaliation. All operation of the will of the heirs in cases of murder is now done away by Sections 3 and 4 of the above Regulation, which require the law officers to give the futwa, and authorize the Nizamut Adawlut to pass their sentence, on the supposition that all the heirs of the slain entitled to prosecute for kissas have attended, prose-

cuted

* Rules for the apprehension of persons charged with crimes or misdemeanors.

cuted and demanded kissas. But cases of wilful murder, in which the party convicted is not under the Mahomedan law liable to capital punishment by kissas, from the heirs of the slain not being legally entitled to demand kissas, from the relation of parent and child, master and slave, or otherwise, though directed to be referred for the sentence of the Nizamut Adawlut by the above Regulation, have not been otherwise provided for; and, according to an exposition of the Mahomedan law since given by the law officers of that court, a father or mother, or grandfather and grandmother, wilfully murdering their child or grandchild, or murdering any person of whom their child or grandchild may be one of the heirs, cannot be sentenced to suffer death by kissas; nor can such sentence be passed against a master for the murder of his slave; or against any one for the murder of a slave, appropriated by his owner to the service of the public; nor against a person wilfully killing another at the desire of the party slain; and if any of the persons above mentioned be concerned with others in the perpetration of wilful murder, their exemption from kissas precludes the infliction of capital punishment (except under the discretion allowed in all cases of fazeer and seasut) upon any of their accomplices. In these and similar instances, therefore, the Mahomedan law of retaliation being obviously and essentially repugnant to the principles of public justice, the Right honourable the Governor-General in Council has passed the following rules in modification thereof; to be in force throughout the provinces of Bengal, Behar, Orissa and Benares, from the 1st of February 1800.

2. In every case of wilful murder, wherein the crime may appear to the court of Nizamut Adawlut to have been fully established against the prisoner, but the futwa of the law officers of that court shall declare the prisoner not liable, under the Mahomedan law, to suffer death by kissas, solely on the ground of the prisoner's being father or mother, grandfather or grandmother, or other ancestor of the slain, or of the heir of the slain, or one of the heirs of the slain, being the child or grandchild, or other defendant of the prisoner; or of the slain having been the slave of the prisoner, or of any other person, or a slave appropriated for the service of the public, or on any similar ground of personal distinction and exception from the general rules of equal justice, the court of Nizamut Adawlut, provided they see no circumstances in the case which may render the prisoner a proper object of mercy, shall sentence him to suffer death, as if the futwa of their law officers had declared him liable to kissas, or to suffer death by seeasut, as authorized by the Mahomedan law in all cases of wilful murder, under the discretion vested in the magistrate, with regard to this principle of punishment, for the ends of public justice.

Extract from REGULATION VIII. of 1803, intituled, "A Regulation for extending the Jurisdiction of the Nizamut Adawlut to the Provinces ceded by the Nawaub Vizier, to the Honourable East India Company. Passed by the Governor-General in Council, on the 24th of March 1803; corresponding with the 12th Choite 1209, Bengal era; the 16th Choite 1210 Fussily; the 12th Choite 1210 Willaity; the 16 Choite 1860 Sumbut; and the 29th Zekaad 1217 Higeree."

IT being essential to the due administration of justice that the Nizamut Adawlut should be vested with the power of superintending the several inferior criminal tribunals, the following rules have been accordingly enacted for extending the jurisdiction of that Court to the provinces ceded by the Nawaub Vizier to the Honourable the English East India Company; and for declaring and making known to the inhabitants of those provinces the constitution of the said Court.

15. In every case of wilful murder, wherein the crime may appear to the Court of Nizamut Adawlut to have been fully established against the prisoner, but the futwa of the law officers of that court shall have declared the prisoner not liable under the Mahomedan law to suffer death by kissas, solely on the ground of the prisoner's being father or mother, grandfather or grandmother, or other ancestor of the slain, or of the heir of the slain, or one of the heirs of the slain, being the child or grandchild, or other descendant of the prisoner, or of the slain having been the slave of the prisoner, or of any other person, or a slave appropriated for the service of the public, or on any similar ground of personal distinction, and excep-

tion from the general rules of natural justice, the court of Nizamut Adawlut, (provided they see no alleviating circumstances in the case,) shall sentence him to suffer death, as if the futwa of the law officers had declared him liable to kissas, or to suffer death by seeasut, as authorized by the Mahomedan law in all cases of wilful murder, under the discretion vested in the magistrate, with regard to this principle of punishment for the ends of public justice.

Extracts from REGULATION III. 1804, intituled, "A Regulation for providing against resistance to the Processes of the Zillah Criminal Courts and Police Officers; as well as for compelling the appearance of persons charged with acts of a criminal nature, who may abscond, or otherwise evade the Process issued against them: for rendering Prosecutions instituted for the recovery of losses sustained by theft and robbery, cognizable in the Courts of Civil Judicature; and for ascertaining the responsibility in such cases of Tehseeldars of places held Khaum; for amending certain parts of Regulation VI. 1803: for preventing the offence of Dhurna, and for preventing the tribe of Rajkoomars killing or causing the death of their Female Children, in the Provinces ceded by the Nawaub Vizier to the Honourable the English East India Company;" passed by the Governor-General in Council, on the 8th of March 1804; corresponding with the 27th Phaugun 1210 Bengal era; the 12th Cheyte 1211 Fussily; the 27th Phaugun 1211 Wallaity; the 11th Cheyte 1861 Sumbut; and the 25th Zekaad 1218 Higeree.

Preamble:—IT has further been judged expedient to adopt measures for putting a stop to the inhuman custom, hitherto prevalent among the tribe of Rajkoomars, in some parts of the ceded provinces, of causing their female infants to be starved to death. The Governor-General in Council has therefore enacted the following rules; to be considered in force from the period of their promulgation.

Sec. 11. Immediately on the receipt of this Regulation, the several magistrates shall issue a proclamation throughout their respective jurisdictions, prohibiting the inhuman practice hitherto prevalent among the tribe of Rajkoomars, of causing their female infants to be starved to death; and declaring, that if any Rajkoomar after the publication of the proclamation shall designedly prove the cause of the death of his female child, by prohibiting its receiving nourishment, or in any other manner, such Rajkoomar will be liable to be tried in the manner directed by Regulations VII and VIII, 1803, with respect to other cases of murder. It is now accordingly ordained, that from the publication of the proclamation above directed, if any Rajkoomar shall designedly prove the cause of the death of his female child by prohibiting its receiving nourishment, or in any other manner, the magistrate on receiving information thereof upon oath, or such other information or proof as he shall deem sufficient to render the charge highly probable, shall cause such Rajkoomar to be apprehended in the manner prescribed, and make the inquiry ordered in Section V. Regulation VI. 1803; when if it shall appear to the magistrate that the crime has been actually committed, and that there are grounds for suspecting the prisoner to have been concerned in the perpetration of it, the magistrate shall cause him to be committed to prison to be tried before the Court of Circuit; and shall at the same time take all the other precautions required in the Section and Regulation above quoted, relative to securing the attendance of the original complainant or informant, and of the witnesses; and the prisoner shall be tried accordingly, in the manner directed in Regulations VII. and VIII, 1803, with respect to other cases of murder.

Extract Bengal Judicial Consultations, 8th March 1816.

Extract of a Letter from T. Fortescue, Esq. Officiating Judge of the Benares Court of Circuit, to R. O. Wynne, Esq. Magistrate of the Zillah of Juanpore; dated 17th February 1816:

Criminal Western Provinces.

N° 4

Para. 11. "THE extreme prevalence of affrays, so much beyond the other Zillahs that I have passed through, seems to have existed for a long time; and although the aggregate annual number may be at present somewhat diminished, yet neither the propensities of the people, nor the facilities of prevention, seem to be essentially meliorated."

12. "The savage and quarrelsome spirit of the people in the Pergunnah of Unglee appears to originate a large and constant proportion of your business, as well as that of this Court. The jealous and hasty pride which induces them to become the murderers of their own female offspring has probably a considerable effect in blunting their feelings against a sympathetic sense of the pains they inflict on one another on the smallest pretence of right or offence, and to render the dread of public justice of light or no collective influence."

Extract Bengal Judicial Consultations, 12th July 1816.

Extract Report of Mr. E. Smith, the second Judge of the Benares Circuit Court, to the Nizamut Adawlut; dated January 12th 1813:

Criminal W. P.

21. FROM Illahabad I went to Juanpore, through Benares.

N° 18.

22. Juanpore is a district which requires a most vigorous hand; indeed there is no keeping it in order, perhaps, but by a vigour somewhat beyond the law. They say accordingly, that it never has been in order since the time of Mr. Deane; there is not a more good-hearted honourable man breathing than the present magistrate, Mr. Wynne; and it is to be hoped, that now the appointment at Ghazepoor has relieved him as to the most troublesome and remote of his Pergunnahs, he will be able to exercise a more effectual control over those that remain to him in the western quarter of his district. The most turbulent of these is Pergunnah Unglee, inhabited principally by the Rajkoomar Rajpoots, the daughter-killing race, who are supposed to carry on that practice in spite of Regulation 21 of 1795. Indeed, it is said not to be confined to the Rajkoomar Rajpoots, but to be common with the Raghoovansee bur, and other Rajpoots; it is now of course practised with much more secrecy than formerly, but it is still, I understand, by no means at an end; nor from the motives that lead to it am I satisfied that the Rajpoots are the only Hindoos that practise it.

Extract Bengal Judicial Consultations, 30th August 1816.

Extract from the Report of Mr. J. Shakespeare, the Acting Superintendent of Police in the Western Provinces; dated the 30th April 1816:

Criminal W. P.

117. Section XI. Regulation III, 1804, contains provisions for the prevention and punishment of the inhuman practice prevalent among the tribe of Rajecoomars, of causing their female infants to be strangled to death.

118. There is reason to believe that this practice still obtains amongst the Rajecoomars to nearly the same extent as formerly, though a great degree of precaution is observed to prevent detection.

119. But the Rajecoomars are not the only tribe among whom this custom prevails; other tribes of the Rajpoot caste are confidently reported throughout

Hindoostan to destroy in secret their female children, influenced either by the possibility of future dishonour, or by a consideration of the expense attending the marriage portions which they would be required to supply.

120. The Rajpoots of the Bysewarah tribe are at the present day said to murder their children openly in the territory of the Nawab Vizier.

121. In the records of this office I find a few reports from Darogahs in former years of the murder of female children, by mixing their food with the milky juice of the plant aselepias gigantica, known in Bengal by the name of akond, and by that of ack, in Hindoostan. This mode of destroying their offspring is said to be still commonly practised.

122. I do not conceive that any measures could be devised on the part of the regular police establishments for effectually checking this offence, or even for ascertaining the extent to which it exists; considerable progress might, perhaps, be made towards the attainment of the desired end, if the magistrates were empowered to summon before them the landholders in those parts of the country where they may have reason to believe that infanticide of this description prevails, and to cause them to execute mochulkars, and take engagements from the heads of villages, throughout their estates, to exert themselves to suppress the practice, and to apprehend and forward to the Police all persons who might be guilty of it within the limits of their authority.

123. Some few instances have been reported, during the last year, of persons destroying their children with the intention of revenging themselves for actual or supposed injuries, under an impression that the sin of murder would be visited on the persons by whom they were aggrieved.

Extract of a Letter from the Secretary to Government to the Superintendent of Police, dated the 30th of August 1816.

[In reply to the foregoing.]

N° 19.
P. 117 a' 123.

Para. 26. His Lordship in Council regrets to observe, from the remarks contained in the 117th a' 122nd paragraph of your Report, which are, in fact, confirmed by information received from other official sources, that the measures adopted by Mr. Duncan, when President at Benares, and the provisions of Regulation XXI. 1795, and Section 11, Regulation III. 1804, have failed to prevent the inhuman practice which exists among the Rajkoomars, and some other tribes of Rajpoots, of destroying their female infants; and that although a greater degree of precaution is now observed to prevent detection, there is too much reason to fear that the crime itself has not been in any degree diminished.

27. The attention of the Nizamut Adawlut will be directed to the subject of the paragraph above specified, and they will be desired, after obtaining what further information the local authorities may be able to furnish, to offer such suggestions as may appear to them calculated for the more effectual prevention of this dreadful crime, and for the detection and punishment of those who may be guilty of it.

Extract of a Letter from the Secretary to Government to the Register of the Nizamut Adawlut, dated 30th August 1816.

N° 22
P. 117 a' 123.

Para. 2. The Governor-General in Council is desirous of drawing the attention of the court of Nizamut Adawlut to the subjects stated in the several paragraphs of Mr. Shakespear's Report noted in the margin, and to the orders and remarks of Government relating to those paragraphs which are contained in the accompanying instructions communicated to Mr. Shakespear.

Extract BENGAL JUDICIAL CONSULTATIONS, 25th Nov. 1817.

Extract of a Letter from W. Cracroft, Esq. Magistrate of Zillah Juanpore, to the Secretary to Government, dated 11th November 1817. Criminal Western Provinces.

Para. 3. I Propose to collect materials for furnishing a Report on the Female Infanticide of the Rajkoomars, which I indulge a hope of finding it possible to check, though not altogether suppress the practice. No 15.

Extract of a Letter from W. B. Bayley, Esq. Secretary to Government, to the Magistrate of Juanpore, dated 25th November 1817.

Para. 7. The court of Nizamut Adawlut being now engaged in inquiries connected with the supposed prevalence of female infanticide amongst the Rajkoomars in the province of Benares, you will be pleased to forward to that Court any information which you may obtain on the subject, and in the mean time you will refrain from adopting any new or unauthorized measures with a view to the forcible suppression of this practice, as such measures might eventually interfere with the success of any general arrangements directed to the same object, which may be hereafter sanctioned by Government. No 18

Extract BENGAL JUDICIAL CONSULTATIONS, 30th July 1819.

Extract of a Letter from Mr. W. Cracroft, the Magistrate of Juanpore, to the Superintendent of Police in the Western Provinces, in the Judicial Department; dated 5th May 1819. Criminal Western Provinces.

16. I now proceed to notice the practice of infanticide, which still subsists in as full force as it ever did, and appears to be almost irremediable. No 21.

17. It may perhaps not be advancing too much to say, that the practice of infanticide is indirectly a very considerable cause of the insubordinate character and violent disposition of the Rajkoomars, as it teaches them early to steel their hearts against the natural affections, and renders them familiar with inhumanity; the mere want of female companions and playmates during the earlier period of adolescence must have a material effect in preventing their manners and sentiments from being softened or civilized. Female infanticide must also be a great check to population in a country which is far from having arrived at its greatest extent of cultivation. Indeed a considerable number (I imagine as many as one third) of the Rajkoomars are never married. Considering the question either in a moral, political, or religious point of view, it demands the most serious attention of Government.

The practice arises from the difficulty the Rajkoomars experience in procuring husbands for their daughters. The only tribes who will receive Rajkoomar females as wives, are the Bisen, and Soreej Buns, of Goruckpore, and the Ghurwars of Mirzapore, and the Boghel of Rewah; and these tribes, from an idea of their superiority, will not admit a Rajkoomar female, without receiving a very large dowry with her. They intermarry among each other, and feel no want of the Rajkoomar females to keep up their race.

19. Until this obstacle can be removed, or some other means devised for providing husbands for the females of the Rajkoomar tribe, all efforts must, in my opinion, fail of checking the practice. No doubt can exist as to the propriety, indeed the necessity, of attempting to restrain it in some manner; but it appears doubtful whether severe punishment would have that effect; hitherto no magistrate has ever apprehended or committed any individual on a charge of this kind; and I do not

doubt that this has been avoided by design, for the instances are too frequent to admit the possibility of their evading proof, had a strict search been often made for that purpose. I wish to be favoured with your opinion, and to have the directions of Government previously to taking any steps in a case which involves so many difficulties.

20. Eight Rajkoomars, married men, whom I called before me, had among them seventeen sons, and only one had reared a daughter; another mentioned that he had a wife whom her father had reared, but that her dowry had ruined the family.

21. Surubdoween Singh, who is a Rajkoomar, of the Nawab's country, has a sister twelve years old, whose wedding has been settled in Bauswarrah; he has also a daughter three months old, whom he has promised to rear. Talem Singh, his grandfather, also brought up a daughter, who is a widow, and lives in Bursera. Soogreem Singh, his son, has also reared a daughter, who is eight years old, but her marriage has not been determined on. Surubjeet, a first cousin of Surubdoween, has also a daughter of seven years old, but her marriage has not yet been settled.

22. There are some families, therefore, among them who would willingly rear their daughters, but these are very few; and if by any misfortune their circumstances should become reduced, they would not hesitate to have recourse to the practice of the caste. Should you require further information respecting Unglee, or the Rajkoomars, I request you will do me the favour to state specifically the subjects on which you wish me to report.

Extract of a Letter from the Superintendent of Police in the Western Provinces to the Chief Secretary to Government in the Judicial Department, dated 26th May 1819.

166. The concluding part of Mr. Cracroft's Letter does not appear to me to call for any particular observations. Section 11, Regulation III. 1804, already provides for the punishment of infanticide, and it is clearly inexpedient that the Legislature should interfere in any other manner; the practice being declared a crime, it is the duty of the magistrate to do his utmost to convict those who still persist in it.

PART II.

Papers relative to Infanticide practised by the Rajpoots in the Districts of Kutch and Kattywar, within the Dominions of the Guickwar: 1800 to 1808.

CONTENTS OF PART II.

Copy of a Report from Kerpa Rama, Minister of the Nawaub of Surat, to Mr. Duncan, in 1800, stating the practice of Infanticide by the Rajpoot tribe, Part 2. - p. 19

Copy Memorandum of Gujra Bye, dated 8th February 1804, relative to the family of Damajee Guicowar, who married Dunker Bye, a Rajpoot female, who had been spared in consequence of her extraordinary beauty - - - - - - - - - ibid.

Minute of Government thereon - - - - - - - - - - ibid.

Copy of a Letter from Mr. Duncan to Captain Seton, at Kutch, dated 8th July 1804, desiring him to make inquiries respecting the practice of Female Infanticide in Kutch - - - - - - - - - - - - - ibid.

Copy of a Letter from Captain Seton to Mr. Duncan, dated at Mandavie, 23d March 1804, stating the general prevalence of Female Infanticide in Kutch and other neighbouring territories, and describing the mode of it, with several particulars of the history of those Rajahs who practise it - - - - - - - - - p. 20

Copy of Letter from Captain Seton to Mr. Duncan, written in 1804, containing further particulars of Female Infanticide in Joudpore - - - - - - ibid.

Extract Letter from Captain Seton to Mr. Duncan, in 1808, containing further particulars of Female Infanticide, as practised in Kutch - - - - - - - p. 21

Translation of an Account of the Jahrejahs, received from Mirza Mortiza, a descendant of one of the Mogul Officers of the Revenue in Guzerat - - - - ibid.

Extract Bombay Political Consultations, 6th June 1805; containing a Letter from Major Walker, dated 27th May, stating some circumstances relative to the Families of the Dherole and Noanuggur Chieftains, who are distinguished by the practice of Infanticide - - - - - - - - - - - - - - - ibid.

Minute of the Government on the foregoing - - - - - - - p. 22

Report by Mr. S. Halliday, the Superintendent of Police, containing some particulars respecting Infanticide in Kutch - - - - - - - - - - - ibid.

Relation by Sunderjee Sheojee, of the Port of Mandavie, in the Country of Kutch, respecting Infanticide - - - - - - - - - - - - - - p. 23

Extract Bombay Political Consultations, 6th August 1805; containing copy of a Letter from Major Walker, dated the 27th July, and copy of a Correspondence with Soonderjee Sevajee, of Kutch, enclosed therein - - - - - - - p. 24

Extract Bombay Political Consultations, 1st November 1805; containing a Letter from Major Walker, of 1st September 1805, enclosing Copies of a further Correspondence with Sunderjee Sevajee, respecting Infanticide - - - - - - - p. 25

Extract Bombay Political Consultations, 20th May 1806; containing Extract para. 52, of a Letter from the Government of Bombay to the Governor-General in Council, dated the 15th May 1806, stating that one of the objects of the meditated expedition into Kutch was the reform of the manners of the Jahrejah tribe - - - p. 26

Extract Bombay Political Consultations, the 2d September 1806; containing the Reply of the Bengal Government to the foregoing Letter, expressive of their opinion on the considerations of humanity, which has induced the Bombay Government to combine the suppression of Female Infanticide with the other objects of the expedition into Kutch - - - - - - - - - - - - - - - - p. 26

Extract Bombay Political Consultations, 30th December 1806; containing, a Minute of the Governor, recording a Communication respecting Infanticide from the Rajah of Boojh - - - - - - - - - - - - - - - p. 27

Extract (Paragraph 52) of a Letter from the Governor in Council of Bombay to the Court of Directors, in the Political Department, dated the 31st July 1807, advising the Mission of Major Walker into Kutch, under the approbation of the Bengal Government, with instructions among other things to endeavour to procure the abolition of Infanticide - - - - - - - - - - - - - - - ibid.

Extract of Bombay Political Consultations, the 3d April 1807; containing Extract of Letter to the Governor-General in Council - - - - - - - p. 28

Extract of Bombay Political Consultations, the 5th June 1807; containing the Reply of the Governor-General in Council - - - - - - - - ibid.

Extract of a Letter from Major Walker to Governor Duncan, dated the 29th June 1807, stating the means employed by him to obtain further information respecting Infanticide through Penjall Sing - - - - - - - - - - - - - - ibid.

Extract (Paragraphs 76, 88, 89, & 96) of a Letter in the Political Department, from the Governor in Council of Bombay, to the Court of Directors, dated the 14th October 1808, communicating Major Walker's Letter of the 25th January 1808, in which he stated that he had succeeded in inducing the Jahrejah Rajpoots to renounce Infanticide by solemn written engagements - - - - - - - - - - - - - - p. 29

Extract Bombay Political Consultations, the 8th March 1808, referred to in the foregoing Letter - - - - - - - - - - - - - - p. 30

Extract Bombay Political Consultations, the 20th May 1808; containing the Approbation of Major Walker's Proceedings, by the Governor-General in Council ibid.

Extract (Para. 46) of a Letter in the Political Department from the Governor in Council of Bombay to the Court of Directors, dated the 20th January 1809, congratulating the Court on the success which had attended Major Walker's endeavours to suppress Infanticide in Kattywar - - - - - - - - - - - p. 31

Extract Bombay Political Consultations, the 31st March 1808; containing the Report from Lieutenant-Colonel Walker, of 15th March 1808, of the measures pursued by him in his endeavours to suppress Infanticide in Kattywar or Guzerat, and its enclosures, Paragraphs 1 to 218, containing preliminary Observations on Female Infanticide; an estimate of its annual extent, being 5,000 lives in the Peninsula of Guzerat - - - - - - - - - - - - - - - - - ibid.

Pragraph 219 to the end, containing a detail of the means used to induce the Jahrejahs to a voluntary renunciation of it - - - - - - - - - - p. 46

Enclosures in Lieutenant-Colonel Walker's Letter: Mr. Jacob Bryant's Account of the cruel Sacrifices of the Canaanites, Phœnicians, and other ancient nations, &c. - p. 53

Extract from Sale's Koran on the same subject - - - - - - - - p. 58

Correspondence between Major Walker and Sunderjee Sewajee, and the Jahrejahs, relative to the abandonment of Female Infanticide - - - - - - - p. 60.

Minute of the Bombay Government on the foregoing Report, and Enclosures, expressive of satisfaction at the apparent extirpation of Female Infanticide from all the Districts of Kattywar, with an ultimate view to the same humane object in Kutch - - p. 70

PART II.

Papers relating to INFANTICIDE practised by the Rajpoots in the Districts of Kutch and Kattywar, within the Dominions of the Guickwar: 1800 to 1808.

Copy of a REPORT from Kerpa Rama, Minister of the Nawab of Surat; received by Mr. Duncan in 1800.

PART II. Rajpoots, 1800—1808.

"HERETOFORE I have heard people say, that among the tribe of Rajput, and especially among the Rajas of that class, the birth of a daughter in their houses was considered as disgraceful; on which account their women refused to let their newly-born daughters have access to their milk, and do put them in any way to death; but this practice is not general through all the subdivisions of their tribe, though in several places they do thus stony-heartedly kill them."

Copy of a MEMORANDUM received by Mr. Duncan from Gajra Bye, on the 8th February 1804.

"Damaji Guikwar carried his arms as far as to Kutch, with the Raja of which a reconciliation took place, on condition of one of the princesses, his daughters, being given in marriage to Damaji; which lady, named Dankur Bye, lived among the Guikwars till after Damaji's death; when, at her own request, the then Rajah Fatteh Sing permitted her to return to her own family in Kutch.

MINUTE of Government.

This incidental narrative from Gajra Bye leading to the question, Whether Dankur Bye had of this marriage any children? it was answered negatively; and Gajra Bye immediately followed up his answer by explaining, that among that lady's caste in Kutch, the daughters are not brought up, but drowned immediately at their birth, in a vessel of milk. Gajra Bye being next questioned how then this caste of people upheld their families, observed, that they are only one of the numerous tribes of Rajputs among the other subdivisions of which they find wives; and that Dankur Bye was spared in consequence of her extraordinary comeliness and beauty, having excited a particular affection in the breast of her mother.

Copy of a LETTER from Mr. Duncan to Captain Seton, at Kutch; dated 8th January 1804.

I send you a memorandum from Gajra Bye, the daughter of Fatteh Sing, one of the Guikwar princes in Guzerat, or rather the result of what she related to-day in conversation, and request you will make every inquiry in your power into so curious a subject as the alleged custom of your Kutch friends killing their female infants. I have heard Captain Wilford, of Benares, say, that in some old Greek author in his possession, he has read of the same thing being a practice in his time in that quarter of India.

PART II.
Rajpoots,
1800—1808.

From Captain Seton to Mr. Duncan; dated at Mandavi, 23d March 1804.

The custom mentioned in Gajra Bye's relation is in force to this day. Every female infant born in the Raja's family of a Ranné or lawful wife, is immediately dropped into a hole dug in the earth and filled with milk, where it is drowned.

Dankur Bye, who is now alive at Booje, the capital of Kutch, is the daughter of Rahu Lakpat, by a pâter or Guzerat kanchny, (strolling dancing-girl), sister to Rahi Gur, the last Raja, and aunt of Rahi Dhun, the present Raja. The latter has a son and a daughter by a slave of one of the Rannes, now ten or eleven years of age; the custom in question not extending to them, but only to the Rajah's children by his rannes or consorts; neither does it necessarily extend to the Jahrejahs, or collateral descendants of the Rajah's family, though most of them, through choice, adopt it, there being but two men of this caste of any note who have brought up their daughters, and these are Vidraji and Nauthji, who will be again noticed. Vidraji, Jahrejah's daughter, is married to the son of the Bownagher Rajah.

This custom of drowning female infants is not peculiar to Kutch, but is common among the heads of the Kehtree or Rajput tribes. It is practised in the family of Jam of Nagar, in the Peninsula of Guzerat, and in that of Miazeh or Kamlowries of Sind, and in others. The Rajputs of Kutch are originally from Sind, and are called Sind Samma, and Sam Samra; they fell back on Kutch before the Mahomedans, driving out the Katties, who had before driven out the Sat Sing, or Seven Lions. Those that remained in Sind were converted to Mahomedanism, and have been since driven out by the Talpuris. Part of them here (*i. e.* in Kutch) form the caste of Jamàdars mentioned in my official correspondence as forming the third party in this government. They marry Rajputs daughters, but do not give their own, it being contrary to the Mahomedan religion. The Rajputs eat what is dressed by Mahomedans, but not from the same dish or plate; and of every thing, except beef and fowls, which latter are in a manner forbidden, as none in whose family a deo (or incarnation) has been are allowed to eat them; and as they all pretend to this honour it would be an affront to make them such an offer. Game is preferred to tame animals; they drink spirits, but this does not imply an inferiority of caste, neither does the licence extend to the women, who, in every respect, live as the highest caste of brahmins.

The Rajahs of Kutch and Nagar are descended of two brothers; the elder of Kutch, named Maha Rao; the younger Maha Raj. The Murvie chieftain, within the peninsula of Guzerat, is of the same family; and the history of all is contained in the history of Kyngar and Raver, the two brothers above alluded to, which I shall get and translate. The next great man in their history is Rajah Barra, who was driven from Sind: and the most powerful in Sind was Rajah Oner.

I have already intimated that the Jahrejahs destroy their daughters; and, though Vidraji and Nauthji had, from fear of having no sons, and thereby wanting heirs of any sex, saved theirs, it is by no means a general practice. The Jamadars, whose origin has been before adverted to, take in marriage the daughters of the Soda Rajputs, (who rear their female children for sale,) and also destroy their infant female progeny. The expense and difficulty of procuring suitable husbands is the excuse usually made; the Rajas pretext is that he considers it beneath him to match his daughter with any man.

From Captain Seton to Mr. Duncan, written in 1804.

The family of Sam*, adverted to in my preceding letter, also take their wives from the tribe of Soda, who are, at present, living between Sind, Multan and Joudpore. It might be supposed that the women would be averse to the destruction of their daughters, but from all accounts it is the reverse, as they not only assist in destroying them, but when the mussulman prejudices occasionally preserve them, they hold these daughters in the greatest contempt; calling them majen, thereby insinuating that their fathers have derogated from their military caste, and become pedlars.

---

* That is, of Sind Samma and Sam Samra, as above specified. These are Jarejahs, all of whom had the practice of female infanticide in their families.

From Captain Seton to Mr. Duncan.

[*This letter describes his progress through Kutch, in* 1808, *four years after the preceding letter was written, on a mission to Hyderabad, the capital of Sind, omitting what does not relate to the present subject, he continues.*]

THUS far we had passed through the Abrassa, being the Pergannas and Forts given to the Jahrejahs, or Raos (*i. e.* the Raja's) relations. We received the greatest attention from them; wherever we halted they came in person to visit the tents, and offer whatever their country afforded; and where we passed their forts, they came outside to meet us; this tribe, actuated by pride, and the barbarous policy of saving the expense of portioning their daughters, murder them at their birth; there being, in the whole of Kutch but two daughters who have been reared; one by Vidraji or Vyraji, Takur of Roi, who is married to the Raja of Aramroy. To supply the place of those destroyed they purchase wives from a tribe called Soda, whose riches are their daughters; and such is the barbarous inveteracy of these women, that when married to Mahomedans they continue the same practice against the inclination and religion of their husbands; destroying their own progeny without remorse, in view to the advantage of the tribe from which they are descended.

TRANSLATION of an Account of the JAREJAHS, or JARECHAS, received from Mirza Mortiza, a descendant of one of the Mogul Officers of the Revenue, stationary in the Province of Guzerat.

"THERE are in the territory of Kattywar, many Jarechas such as Jam, Zemindar of Islamnagher, and Khunbuji, and Divâji, Zemindars of Goundel; and Dhwtaji belongs also to this tribe; amongst the members of which, the established practice is, that when a child is born, if it be a son, every observance of joy and gratulation is attended to; but if it be a daughter she is immediately put to death, on the plea, that if they bring up a daughter it behoves them, when she has obtained a fit age, to give her in marriage to some one; a concession which they consider as inferring the highest reproach, though if it should happen, as an extraordinary exception, that any one should preserve his daughter, and rear her to maturity, her father becomes anxiously solicitous to procure her a husband of unexceptionable rank and character; but in that case, the parents of the maiden, thus exempted from the common fate, become the scorn of all others, young and old, who hold them in the greatest contempt; neither do such occasions occur but very rarely."

Extract BOMBAY POLITICAL CONSULTATIONS, 6th June 1805.

Read the following letter from the Resident at Baroda, to F. Warden, Esq. Secretary to Government, Bombay.

Sir,

I HAVE been honoured with the late Secretary's letter of the 13th ultimo, directing me to report to the best of my information whether the death of Moorjee Dherole is to be really imputed to any jealousy of the power or influence of the honourable Company.

2. In reply to the above communication, I have to state, for the information of the honourable the Governor in Council, the following circumstances relative to the families of the Dherole and Noanuggur Chieftains, which may probably tend to illustrate the subject under reply.

The Rajah of Dherole is of a subordinate branch of the family of Jaum; and inherits from his ancestors a small territory of eight or ten coss in extent, containing about eighty villages, and yielding a revenue of 1,25,000 rupees, of which 25,000, or 35,000 are paid as a Mooluckgunj tribute to the Guicowar.

3. The particulars of the death of the late Rajah of Dherole are not sufficiently known to afford a correct detail of the circumstances attending, or causing it; public opinion ascribes it to poison administered by some of the female part of the

PART II. Rajpoots, 1800—1808.

Dherole Rajah's family, with whom the chieftain of Noanuggur had formed an intimacy.

4. The motives which actuated the Jaum Rajah in the commission of this act are still more difficult to ascertain, though imputed generally to views of ambition, and some designs which it is supposed he entertained against the country of Dherole, and the apprehension lest these should be frustrated by his relation, forming a connection with the Honourable Company's Government.

The influence of the Arabs who compose the principal military force of Jaum will favour the last conclusion, but the honourable the Governor in Council will readily perceive the extreme difficulty of penetrating into the motives which have led to the commission of a secret and detestable crime.

5. It may not be superfluous to observe, for the information of the Honourable the Governor in Council, that both these families came originally from Booje, but have been established from a remote period in Kattywar; ~~the Jaum is a~~ title or surname assumed only by the elder branch, and that both are distinguished by the no less extraordinary than barbarous practice of putting their female children to death in their infancy.

I have, &c.

Baroda, 27th May 1805. (signed) *A. Walker*, Resident.

With respect to the usage above adverted to of female infanticide, it is known to be equally practised among all the Jahrejahs, or those who are of the same caste with the family of the present Rajahs of Kutch, besides being probably diffused more or less amongst several other classes, on the borders of that country, into all which Major Walker is to be desired to cause full inquiry to be made, with a view to ascertain whether these people might not by persuasion be restrained from a practice so abhorrent to all principle and natural feeling, particularly in as far as the same may be found any where to exist within the Guicowar's, or the Paishwa's, or our own part of Guzerat; in which a beginning might be made, by inducing the parties to sign such an agreement as our President took in 1789, from a like race of Infanticides, called Rajkoomars, in a remote district of the division of Benares, then under his charge, of which some account, and a copy of the said deed or writing, will be found in a dissertation from Lord Teignmouth, in one of the volumes of the Asiatic Researches, of which the Resident is to be furnished with a manuscript copy, desiring him thereon to communicate with Sunderjee Sheojee, of Mandavee in Kutch, now on his way to Baroda, and endeavour to gain his assent to becoming our agent for affecting the abrogation in that quarter of so detestable and atrocious a custom.

REPORT from the Superintendent of Police.

Damajee Kutcheraz a respectable merchant from Kutch, informs me it is very true, that the Jahrejah tribe in the district of Kutch do very generally put their female children to death the instant they are born; the Rajah of Kutch follows this practice in his family, as also the Rajah of Jamnugger, the Rajah of Moorbee, and the others in general; some however, amongst the tribe, from a sense of the wickedness of the crime, and being good moral men, preserve their female children, but these are few in number; their reason, as he has heard, for this abominable practice is, that the fathers do not wish their daughters to obey their husbands, being of a bold domineering proud spirit; on being asked where the men of this tribe get wives, he informs me, from the other Rajpoot tribes; on being asked how their infants are destroyed, he says he has heard that when a woman is in labour a large pot of milk is brought and placed in the room, and if an unfortunate female is produced the nurse immediately puts it into the pot of milk and drowns it. That he has frequently asked the poorer class of this tribe how they put their female children to death, and they have always answered, *by making them drink milk*, alluding to their being thrown into the pot of milk. The midwives are the only persons accessary to this horrid deed, and this is their language. He has never known any Jahrejah families in Bombay; they have little or no trade, seldom go abroad, and live principally by the produce of their lands, and as soldiers. Dhunbhoy, an

PART II.
Rajpoots,
1800—1808.

an old nurse, from the district of Kutch informs me that she never was employed as a nurse in any of the Jahrejah families in that district; but her grandmother was, and she has heard her often declare, that whenever a female child was born the unfortunate infant was put into a cudjeree pot of milk, with its head undermost, along with the after-birth, and thus immediately destroyed. On the contrary, when a son was born, great rejoicings were made by feasting their friends, &c. She declares she knows no cause how this extraordinary custom arose; but has heard that being a tribe of the Rajpoot caste, they do not wish that their females should obey any one; independent of this, no one likes to take a female of this tribe into their family, as it is reckoned very unlucky to have any thing to do with them, and in general it is but too often verified.

This is the result of my inquiries.

(signed) *S. Halliday.*

RELATION by Sunderjee Sheojee, of the Port of Mandavee, in the country of Kutch.

IT is notoriously known to be the established practice among those of the Jarejah tribe in the country of Kutch, and adjoining districts of Kattewar (in the peninsula of Guzerat,) not to bring up their daughters, but to put them to death at their births. The legend that I have heard, as accounting for this strange practice, is as follows:

In former times it so happened that to one of the head men of those Jahrejahs several female children were born; and as among the Hindoos it is incumbent to provide husbands for their daughters whilst these latter are yet in their non-age, the Jahrejah chieftain above named applied accordingly to his family Brahmin, to pursue the necessary measures for getting the said Jahrejah's female children contracted in marriage with the sons of his equals in the tribe, and of like valour and power as he possessed.

The Brahmin, after making every inquiry, and going about to every place in quest of suitable matches for these children returned without effecting his object, reporting thereon to the chieftain in question, that although he had exerted all his endeavours to find proper alliances for his female children, still he (this Brahmin) had not traced any one who was of competent qualifications to be his son-in-law, wherefore (added the Brahmin,) since to retain these your female offspring in the family house, after their arriving at the age of womanhood, is contrary to the rules of religion, I will take them with me, and will burn them in the fire on condition that it be stipulated on your part to destroy at their birth all issue of the same sex that shall hereafter be born in your family, laying hereon, as I now do, my solemn malediction both here and hereafter on you and yours, if you fail to perform the same; in such manner, that if you shall preserve any of your future daughters, they shall pass their lives in penury and want; nor shall good attend the father or the mother of such children.

It is further reported, that after thus speaking that Brahmin took away those innocent girls, and consumed them in the flames; and that in conformity to the stipulation and denunciation aforesaid the people of the Jahrejah tribes, dwelling in the country of Kutch, and in the Pergunnahs of Hallar, and other places within the contiguous Peninsula of Guzerat, have to the present day continued to adhere to the practice in question, whereby, whenever a daughter is born to them, they do forthwith put these helpless babes, without compassion or pity, to death; *placenta super nares osque incumbente*, without allowing of their surviving for the shortest space.

Examination thereon of Sunderjee.

Question. It has been understood, that Adeeba, the daughter of Ralakjee, a former Rajah of Kutch, was married to one of the Guicowar Rajas, whence it is to be concluded that the practice of the Jahrejahs killing their daughters is not without exception?

Answer. That is true, and Adeeba is still surviving at Booje, the capital of Kutch, yet there are nevertheless but few exceptions, such as in this instance, to the

PART II.
Rajpoots,
1800—1808.

the general rule, because from the effect of the malediction pronounced no good ensues from their preservation; insomuch that if any daughters of this tribe get married into other houses, the grain in such houses becomes less plentiful; nor do such women produce sons, but are the occasion of feuds arising in the families into which they are thus transplanted. Throughout all the country of Kutch there may be six or eight houses wherein the Jahrejah masters of families bring up their daughters; or otherwise, the practice is general; and besides what happens within the limits of that country, the Jahrejah chieftains of Moorvee (written also Moorbee) Goondul and Jamnagur, in the Peninsula of Guzerat, do also kill their female infants.

There is an instance of Veesajee the Kakerwalla chieftain of Kutch having given his daughter in wedlock to Gholaum Shah one of the former Mahomedan rulers of Scind, of the Kollera tribe, an event that must have happened forty years ago, but at this period this Kakerwalla family do not bring up their female infants. Those who occasionally do so are induced to it by the consideration of thereby acquiring the merit of having sons born to them, as for instance, when a man has a succession of female children produced in his family, he will, at the suggestion of any one, be induced to believe, that by sparing, and bringing them up, sons will also be acquired to him; whence chiefly Jarejah daughters are sometimes met with, of which there is within my recollection another instance, in the case of the Roee chieftain of Kutch by name Vijrajee, who has married a daughter of his to the son of Attabye the Rajah of Bhownagurh; that lady may now be about 20 or 22 years of age, but I have not heard that she has yet had any male issue, but that on the contrary her husband and she do not agree.

Extract Bombay Political Consultations, 6th August 1805.

Read the following Letter from A. Walker, Esq. Resident at Baroda, to Mr. Chief Secretary Warden, with two Enclosures; 27th July 1805.

Sir,

I HAVE the honour to forward, for the information of the honourable the Governor in Council, a translation of a letter received from Soonderjee Sewjee, of Kutch, with a copy of my reply.

By the latter, the honourable the Governor in Council will observe that I have adopted the first measure which I conceive to be necessary for the execution of their commands communicated in your letter of the 6th ultimo, by requesting Sooderjee to afford me such information relative to the barbarous practice alluded to therein as might enable me to ascertain its extent and prevalence, previous to any attempt to effect its abrogation through his agency, which by suddenly alarming his prejudices might retard the reform which the humanity of the honourable the Governor in Council is desirous to introduce.

I have the honour to be, &c.
(signed) *A. Walker*, Resident.

Baroda,
27th July 1805.

Extract Translate of a Letter from Soonderjee Sewjee of Kutch, to Major Walker, dated the 4th of Rubbee us Sani, according with the 2d July 1805, received in Baroda 22d July.

THE particulars relative to the pergunnah of the chieftain of Dherole is this, that until the present day the people of Jam have not established themselves in the tannahs, every arrangement is in the hand of the son of the Dherole chieftain; if you should command, I will visit this person, and ascertaining the particulars of his situation will write you the same.

The performance of this depends on you; conceiving your servant as ever subject to your orders, let me be honoured with your continual commands; may your prosperity continue.

Extract of a Letter from Major Walker to Soonderjee Sewjee, of Kutch, dated the 25th July 1805.

THE visit you propose to the Rajah of Dherole is desirable, and having ascertained the particulars you intimate, favour me with a communication of the same.

I have understood that among the caste of Jarejahs there exists a custom of putting their female children to death, and that they receive their women from other castes. I have also learnt that the Rajah of Kutch is one of this caste; to ascertain the real particulars of this custom would be very desirable; therefore I request you would inform me of the origin and continuation of this practice, and in what manner the infants are destroyed; also how far this custom is prevalent among the other tribes of Rajpoots, and the number of children who may suffer annually from this practice.

Extract, Bombay Political Consultations, 1st November 1805.

Read the following Letter from the Resident at Baroda, with Enclosure, to Francis Warden, Esq. Secretary to Government, Bombay:

Sir,

I HAVE the honour to enclose, for the information of the Honourable the Governor in Council, a translation of a letter received from Sunderjee Sivajee, of Kutch, communicating some particulars relative to the practice of female infanticide among the tribe of Jarejahs and some information on the state of affairs among the chieftains bordering on the Gulf of Kutch.

2. The Honourable the Governor in Council will observe with regret that so large a number of innocent children annually suffer from the prevalence of the barbarous custom of female infanticide among the caste of Jarejahs, but the custom seems limited to that tribe inhabiting Kutch and Kattywar, as I have not been able to trace its existence among any other people of Guzerat.

3. I have the honour to enclose a copy of a letter written to Sunderjee on the subject of this custom; but I fear the humane attempt of the Honourable the Governor in Council will not be successful to any great extent in restraining the superstitious and religious prejudices of a tribe which are so far removed from the authority of the British Government, and so little accquainted with the principles of improved society.

I have the honour to be, &c. &c. &c.
(signed) *A. Walker*, Resident.

Baroda,
1st September 1805.

Extract of a Translation of a Letter from Sunderjee Sevajee, of Kutch, to Major Walker, dated the 17th Jummadee ul Awul, or 13th August, received at Baroda, 13th.

THE drowning of the daughters of the Jarejahs proceeds from this cause: In this country there is no one who can marry into the tribe of Jarejah; wherefore they drown their daughters, and there may be annually five or six hundred births among the Jarejahs, inasmuch as the chieftains of Moorbee, Hallar, Gondul, Wagur, Kutch and Kalicat, are all Jarejahs, and are all related, and among relatives it is not customary for Hindoos to marry; except relatives, there are none of their own tribe; such is the custom of the Jarejahs.

From Major Walker to Sunderjee.

I HAVE been favoured with your letter of the 17th of Jumadi ul Awul, detailing some customs of the caste of Jarejahs.

I have to request that on this interesting subject you will in your next letter be more particular, and detail every circumstance relative to the inhuman custom which is practised by the Jarejahs in putting their female children to death in their infancy.

The prevalence of such a barbarous custom must be a subject of regret to all the friends of humanity, and the more so to the British Government, whose views being ever directed to promote the happiness of their own subjects and neighbours, cannot learn without horror that 5 or 600 innocent children are annually put to death, who if suffered to live would contribute so much to increase the population, and the consequent prosperity of the country in which they abide.

This custom is the more extraordinary and reprehensible as it is expressly forbidden by the Hindoo laws; and in the Brehma Bywunt Pooran is called a great crime. In the Pooran it being written that killing even a fœtus is as criminal as killing a Brahmin, and the same Pooran condemns the perpetrator to suffer in the hell called Nerka for as many years as there are hairs on the child's body.

It would therefore be a very acceptable service to humanity, highly gratifying to Mr. Duncan, and the British Government, and honourable to yourself, if you could exert your influence to put a stop to such a barbarous custom.

When the honourable Mr. Duncan was in charge of the province of Benares he put a stop to the custom which was then practised by a caste called Rajkoomars, by getting the caste to sign an agreement, by which any one who committed this crime should be expelled from the tribe, and neither eat, drink or sleep with the members of it; besides suffering the punishment denounced in the Pooran. If such an agreement could be executed in Kutch it would probably be effectual.

Baroda,
1st September 1805.

(signed) *Alex. Walker*,
Resident.

Extract, BOMBAY POLITICAL CONSULTATIONS, 20th May 1806.

Extract of a Letter from the Government of Bombay, to the Governor-General in Council, dated the 15th of May 1806.

52. ANOTHER object which the expedition* might have in view would be an attempt to reform the manners of several of these chieftains, who in common with the Jahrejah tribe in the contiguous country of Kutch put their female children generally to death as soon as they are born. Of this fact we have received too many concurrent testimonies to admit of hesitation in the belief of its prevalence; and the accompaniment marked in the margin will be found to contain such official proceedings as we have hitherto held respecting a discovery so deplorable and humiliating to the human race.

N° 10, Correspondence.

[The enclosures in the foregoing extract were the papers entered upon the proceedings of the 6th June and 1st of November 1805.]

* Into Kattywar.

Extract, BOMBAY POLITICAL CONSULATIONS, 2d September 1806.

Extract of a Letter from the Governor-General in Council, to the Governor in Council of Bombay, dated 31st July, 1806.

Para. 12. WE cannot but contemplate with approbation the considerations of humanity which have induced you to combine with the proposed expedition the project of suppressing the barbarous custom of female infanticide. But the speculative success even of that benevolent project cannot be considered to justify the prosecution of measures which may expose to hazard the essential interests of the state, although as a collateral object the pursuit of it would be worthy of the benevolence and humanity of the British Government.

Minute.—A copy of the preceding letter was on the 1st instant ordered to be transmitted, by express, to the Resident at Baroda, for his information and guidance; and with notice, that we shall await the receipt of the remarks that might thereon occur to him, with reference to the several important objects, contained in his Report of the 1st January, which we were happy to find so justly and highly appreciated by the Government General.

Extract

Extract, BOMBAY POLITICAL CONSULTATIONS, 30th December 1806.

The Honourable the Governor delivered in the *following* Memorandum;

MEMORANDUM delivered in by the Governor.

ON the 29th of December a person desired to speak to me, saying he was come fom the country of Kutch Boojh, and had something of a secret nature to impart from Roy Dhun, the Rajah of that territory.

On this person being admitted, he said his name was Sheojee Goorjee, (a Goorjee is the same as a Jettee); that he is the confidential servant of Roy Dhun, the Rajah of Kutch, and that he is sent by him to solicit our aid for his release from the restraint under which that chieftain labours, by being placed in a state of confinement by Futteh Mahomed, whom he states to have subjected the whole country to his will, not however (as he asserts) from any other motive than the dread of his power and influence.

He admits that his master has no sons; but there is a male child of Prethy Rowjee, his late brother, seven years old, and who is called Luckput.

Of daughters, he confesses they never rear in his master's family, and being asked the reason, he answers, "where have they an equal to whom to be bestowed in marriage."

P. S.—As to killing of all the daughters born to Rajah Dhun, and those of his caste, this person explains, that it is specially of mothers of the Rajpoot tribe (who alone are deemed in rank), that the female issue are thus invariably to be destroyed. whereas those, the issue of slave girls, or of other inferior castes, may be kept or not, as not being considered of account, with respect to their future establishment in life, adding, that Roy Dhun has accordingly preserved in this way a daughter born of a Sondee, or inferior woman, a handmaid of one of his rannees or princesses which daughter is now about twelve years of age; but this informant adverts not to any instance of the female issue of those of the wives of Roy Dhun's caste being preserved if born by a Rajpoot, or woman of equal caste; and he thence accounts for the instance referred to in a former paper on record, as to the daughter of a preceding Rajah of Kutch being married to Damajee, Guicowar of Brodera alleging that the lady in question was from the venter of a Sondee, and not of a Ranny or married consort; and adding that she is still alive in Kutch, to which she returned after Damajee's death.

Extract from a LETTER in the POLITICAL DEPARTMENT from the Governor in Council of Bombay to the Court of Directors, dated 31st July 1807.

Para. 52. WE have the honour to inform your Honourable Court, that under the approbation of the Government General we have appointed Major Walker to the command of the detachment employed on this occasion, consisting (independently of the Guicowar Government's own proportion of force) of our troop of cavalry, and of two battalions of Native infantry with a proportion of artillery, pioneers and stores, at the Major's selection, and refer to our proceedings for the particulars of our instructions (since approved by the Supreme Government) to that officer, whose appearance with a British force in that sequestered region, hitherto so rarely visited by Europeans, we have also incidentally in view to render conducive to the abolition of the horrid practice of female infanticide, such as is acknowledged to prevail in several families of some classes of the Kattywar chieftains, in the manner particularly set forth in the information from Soonderjee Sewjee, and other creditable and corroborative notices recorded on our consultations of the 20th May and 30th December 1806; for which purpose the Resident has been authorized to urge, among other arguments, to this prejudiced class of society, the similar abandonment which has happily been obtained from bodies of similarly misguided subjects of your Government, under the immediate administration of the Presidency of Fort William; their knowledge of which may materially contribute to facilitate their acquiescence in a like amelioration, in as far as respects their own lamentable habits.

Letter from the Supreme Government, dated the 30th April. See Consultations, 5th June 1807.

3d April 1807.

D° - d° - fol. 2266.

Letter from the Supreme Government, approving of D°, fol. 3768.

Extract BOMBAY POLITICAL CONSULTATIONS, 3d April 1807.

Extract of a Letter from the Governor in Council of Bombay, to the Governor General in Council of Bengal.

1. IN continuation of the advices we have hitherto forwarded for your notice and information, respecting the progress of the reforms in the Guicowar State, we have now the honour to transmit the copy of a further despatch from Major Walker, under date the 15th of March, with reference chiefly to the formation and equipment of the detachment intended to proceed into Kattywar.

3. It will be recommended to him to endeavour to include in the engagements with the Moorbee and other chieftains, habituated to the lamentable practice of destroying their female infants, to renounce a usage so repugnant to every humane and natural feeling, for which he has been authorized to cite to this prejudiced class of society the similar abandonment which has happily been obtained from bodies of the Company's subjects, under the immediate influence of the Supreme Government, the knowledge of which may materially contribute to facilitate their acquiescence to a like amelioration, in as far as respects their own domestic habits.

Extract BOMBAY POLITICAL CONSULTATIONS, 5th June 1807.

Recorded the following Letter from the Supreme Government.

Honourable Sir,

WE have the honour to acknowledge the receipt of your despatch of the 3d instant, enclosing the copy of a letter to your address from the Resident at Baroda, on the subject of the formation and equipment of the detachment destined to proceed from Baroda into Kattywar.

2. We have the honour to signify to you our entire concurrence in the expediency of vesting Major Walker with the command of the detachment to be employed on that important service. We also entirely approve the general tenor of the instructions issued under your authority to Major Walker for his guidance in the execution of that service.

We have, &c.

Fort William,
30th April 1807.

(signed) *G. H. Barlow.*
G. Udny.
J. Lumsden.

Extract of a LETTER from Major Walker to Jonathan Duncan, Esq; dated 29th June 1807.

"I WAS the more particularly induced to retain Penguel Sing, conceiving, from his personal acquaintance and influence with the chieftains and Bhoomeans of that division of Kattywar called Hallar, which is principally inhabited by the caste of Rajpoots called Jarejahs, who are addicted to the abominable practice of female infanticide, that the humane and benevolent views which the Honourable the Governor in Council entertains of rendering this practice less frequent may be thereby considerably promoted.

"I shall hereafter have the honour to forward, for the notice of the Honourable the Governor in Council, the information collected by Penguel Sing relative to this custom, by which its extent and prevalence will be observed.

"Penguel Sing describes it as an ancient and immemorial custom, confirmed by prejudice and family pride; but that there are also many instances of parental affection overcoming this horrid propensity; and that under the influence of the Honourable Company's government the practice may be considerably ameliorated."

Extract of a Letter in the Political Department from the Governor in Council of Bombay to the Court of Directors; dated 14th October 1808.

Para. 76. A MOTIVE that might, with a view to the interests of humanity, conduce to the British Government's seeking to improve your connection with Kutch, is the opportunity, thence perhaps derivable, of extirpating from the habits of the tribe of Jarejahs in that country, the practice that so generally prevails among them of causing their female legitimate children to perish immediately after their birth; having, in this respect, the same manners as were found in the year 1789 to prevail among the Rajkoomars of Benares; and which those people were then induced to renounce, in the manner reported in the correspondence of our President (then the Resident of that province) with the Government of Bengal. That previous knowledge, combined with the information he brought round with him as to similar customs having prevailed, or still obtaining in Guzerat, led to those researches that have, through the able agency of Major Walker, the Resident at Baroda, effected a similar renunciation of a system so abhorrent to every natural feeling, among all the Jahrejahs throughout the Kattywar, or Peninsula of Guzerat; for the particulars of which we beg leave to refer to the Major's interesting Report of the 15th of March, recorded on the proceedings marked in the margin; which will also show, that for want of a similar influence in Kutch as we possess in Kattywar, the abominable practice of female Infanticide still continues in a country which boasts at the same time, with justice, of observing greater tenderness towards the brute creation than any other division of India.

Consultations, 31st March 1808.

88. This little state of Poorbunder is become subject to the cognizance of your Government as one of those who, having (although the ruling family be of the Jaitwa, and not of the Jarejah tribe of Rajpoots) allowed the force of example to habituate them also, of late years, to the killing of their female offspring, have in consequence executed the renunciatory obligation against that abominable practice; their failure in the future observance of which renders them, in the terms of that deed, obnoxious to the animadversion of the British Government. As to the mode of proceeding in respect to which, we refer to our instructions to Major Walker of the 31st of March last.

89. The exercise of that correctional power will be, in every instance, conducted in the same spirit of tenderness that excited originally the solicitude to effectuate this reform, which may, we hope, prove, in its object and consequences, creditable to the Government of Great Britain in India, by its having thus undertaken, and so far, we trust, accomplished, what will be found in the letters on this subject from Futteh Mahomed, the principal ruler of Kutch, to have never been thought of by any of the successive rulers in this quarter of the world during a lengthened series of ages; and as to which, although himself a Mahomedan, he attempts to justify the great majority of his Jahrejah countrymen, at the head of whom is the Rajah's own family, for having thus continued, and still persevering, within that province, in the observance.

96. These several despatches having been in due course communicated to the Supreme Government, have been honoured by its decided and distinguished approbation, such as they cannot probably fail to be further honoured with by the final sanction of the superior Authority, to whose judgment their merits are now respectfully submitted; introductory, as we hope they will prove, to a new era of civilization and tranquillity among this turbulent race, to the improvement of whose morals and worldly circumstances all the efforts of this Government, and so well qualified an agency as that of Major Walker, have been thus sedulously directed. Nor can these efforts ever prove otherwise than grateful to our remembrance, in their having, under the blessing of Divine Providence, led the Jarejah and Jaitwa part of that community to stipulate to abstain in future from the horrid and almost incredible crime of being the habitual executioners of their own innocent offspring.

Extract Bombay Political Consultations, 8th March 1808.

Extract of a Letter from A. Walker, Esq. Resident at Baroda, to the Governor in Council; dated Camp, at Rajkote, 25th January 1808.

Para. 169. IT would be improper to dismiss this Report, without noticing that Jahrejah Rajpoots are those who have been distinguished in this part of India by the practice of female Infanticide, but it is only necessary to advert to the circumstance on this occasion.

170. The solemn and written engagements of the Chiefs, renouncing in their own name and that of their posterity, this horrible usage in future, will form the subject of a separate letter; and although the first efforts to suppress this extraordinary custom met with a strenuous opposition, it is very gratifying for me to report that the success of the measure has been universal and complete.

Minute by the Government.

IN acknowledging the report from Major Walker of the 25th January this day (7th March) received, descriptive of the situation of the division of Hallawar, and of his proceedings therein, he is to be advised, that as these appear to have been conducted with the same ability and discernment which have distinguished the other parts of his progress through the several districts of the Peninsula of Guzerat, the Board have only more especially to applaud, in the present instance, his success in obtaining from the Jahrejah chieftains the renunciation he refers to of that horrid practice of female Infanticide, as said to have prevailed amongst them, the cessation of which, as now so happily provided for, will, if duly carried into effect, (to ensure which it is not doubted but the Resident's attention will be continued) constitute an era in that country of more importance than all the occurrences of those people's otherwise sufficiently eventful history.

Copies of the above papers are to be sent to the supreme Government, with notice of the answer thereto.

[*A letter, in the terms of the foregoing minute, was accordingly addressed to the Governor-General in Council of Bengal.*]

Extract Bombay Political Consultations, 20th May 1808.

Recorded the following Letter from the Secretary to the Supreme Government.

To Francis Warden, Esq. Chief Secretary to Government, Bombay.

Sir,

I AM directed to acknowledge the receipt of your letter of the 7th ultimo, forwarding copy of a despatch from the Resident at Baroda, containing a report of the settlement made in the district of Hallour, and an historical account of that country.

2. The Right honourable the Governor-General in Council has derived great satisfaction from the perusal of that despatch, and especially from the success which has attended the Resident's endeavours to obtain from the Jahrejah chiefs the renunciation of the barbarous practice of female Infanticide.

3. I am directed therefore to communicate to you the approbation of the Right honourable the Governor-General in Council of that officer's conduct, ability and judgment, which have already so often demanded the expression of public applause.

I have, &c.
(signed) *N. B. Edmonstone,*
Sec to Gov^t.

Ordered that a copy of the above letter be communicated to the Resident at Baroda.

PART II. Rajpoots, 1806–1808.

Extract from a LETTER in the POLITICAL DEPARTMENT from the Governor in Council of Bombay, to the Court of Directors, dated 20th January 1809.

Para. 46. IN continuation of the subject of the 76th, 88th, and 96th paragraphs of our letter, dated 14th October, we have much pleasure in referring to a letter recently received from the Resident at Baroda, as containing a satisfactory account of the success that has already attended our endeavours, to repress among the Jarejah families in Kattywar, the horrid practice of female Infanticide. We congratulate your Honourable Court on the prospect thus afforded of extirpating from the Peninsula of Guzerat a custom so long prevalent, and so outrageous to humanity. This object will not be lost sight of; and trusting to the aid of Divine Providence, we look with confidence to its gradual but certain accomplishment, to such a degree as may form an era in the history of Guzerat lastingly creditable to the English name and influence.

Extract BOMBAY POLITICAL CONSULTATIONS, 31st March 1808.

[Containing the Report from Lieutenant-Colonel Alexander Walker, dated Baroda 15th March 1808, of the measures pursued by him for the suppression of Infanticide in Kattywar, or Guzerat.]

Read the following letter from the Resident at Baroda:

Hon^{ble}. Sir,

1. THE abolition of the singular custom of female infanticide formed an object of my early and anxious attention during the late service. Letter, 25th Jan. 1808.

2. I have already had the honour to state generally the success which has attended this measure; but before I proceed to detail its progress and circumstances I shall endeavour to ascertain the origin and history of a practice the most barbarous that ever owed its existence either to the wickedness or weakness of human nature.

3. The early customs and history of every people are obscure and fabulous.

4. The Hindus, with a facility proportionate to their credulity, generally ascribe their peculiar institutions to a divine origin, and by connecting their observance with religious duties, they have passed inviolate through many ages.

5. This, probably more than any other cause, has maintained that great distinction which is evident between the Hindus and other nations, and also between their own castes. The force of the same sentiments has rendered institutions favourable to morals and humanity equally venerable and permanent, as it has sanctioned many that are absurd and criminal.

6. The displeasure and authority of the Supreme Being is naturally, and with propriety, resorted to in support of customs or rites which tend to the suppression of vice, and to the welfare of society.

7. When the customs and rites of any people are harmless, whatever form they assume, and from whatever source they may be derived, they are entitled to toleration and protection; but they ought to be punished or amended when their evident tendency is to diminish population, and to alienate the natural affections of mankind. Of this description is the custom of female Infanticide which prevails among the tribe of Rajputes, denominated Jahrejahs.

8. The traditionary and legendary accounts of the Hindus, although sometimes ingenious, are often the wild and extravagant fictions of a rude and superstitious people; but the oral accounts of the savage and atrocious custom of Infanticide is comprised in a simple narrative, and exhibits under a slight disguise a remote historical event.

9. The Jahrejahs relate that a powerful Rajah of their caste, who had a daughter of singular beauty and accomplishments, desired his Rajgor,* or family Bramin, to affiance her to a prince of desert and rank equal to her own.

---

* The rajgor, otherwise called rajgooroo, is literally the priest, tutor or preceptor of a rajah; but the term is applied to the domestic bramin of any family in this country. The katties, and even every individual of a caste, has a rajgor. In the Peninsula and Kutch the rajgors are a distinct tribe.

10. The Rajgor travelled over many countries without discovering a chief who possessed the requisite qualities; for where wealth and power were combined, personal accomplishments and virtue were defective. In like manner, where the advantages of the mind and the body were united, those of fortune and rank were wanting.

11. The Rajgor returned and reported to the prince that his mission had not proved successful.

12. This intelligence gave the Rajah much affliction and concern, as the Hindus reckon it to be the first duty of parents to provide suitable husbands for their daughters; and it is reproachful that they should pass the age of puberty without having been affianced, and under the necessity of living in a state of celibacy.

13. The Rajah, however, rejected and strongly reprobated every match for his daughter which he conceived inferior to her high rank and perfections.

14. In this dilemma the Rajah consulted his Rajgor, and the Bramin advised him to avoid the censure and disgrace which would attend the princess's remaining unmarried, by having recourse to the desperate expedient of putting his daughter to death.

15. The Rajah was long averse to this expedient, and remonstrated against the murder of a woman, which, enormous as it is represented in the Shasters, would be aggravated when committed on his own offspring.

16. The Rajgor at length removed the Rajah's scruples by consenting to load himself with the guilt, and to become in his own person responsible for all the consequences of the sin. Accordingly the princess was put to death, and female Infanticide was from that time practised by the Jahrejahs.

17. From this narrative curiosity receives little gratification, and the mind no pleasure. It resembles the tales of infancy, rather than the grave history of a transaction involving the fate of a numerous portion of the human race.

18. This, however, comprises all the information which the Jahrejahs possess of the origin of a custom so contrary to the dictates of nature, and which is justifiable on no plea, as it gratifies no reasonable passion.

19. Notwithstanding this inadequate and unsatisfactory account of the origin of Infanticide, many whimsical and absurd institutions like this are dependent, less on reason than on particular circumstances, which, in the course of many ages, give them importance and influence.

20. There is nothing too extravagant and preposterous for the human mind to believe, and for men to practise; but there were also motives and contingent circumstances which might operate to the progress and continuation of this inhuman custom of the Jahrejahs.

21. The forms and maxims, and all the religious tenets of the Hindus, are strongly opposed to the crime of infanticide.

22. Whatever may have been the motives that led the Jahrejahs to embrace the extraordinary practice of destroying their daughters, conveniency and policy have contributed to continue and extend it.

23. The scruples of religion and conscience were lulled and quieted by the ideal security of another race being responsible for the crime. Opinions and habits, for which at first we have no aversion, as they grow familiar, rise into consideration, and establish their ascendancy.

24. The superstition of the Jahrejahs easily reconciled them to the expedient proposed by the Rajgor, which freed them from the fear and consequence of sin, and undermined their compassion and affection for their offspring.

25. The sentiments of nature and humanity were supplanted by the passions of avarice and pride; for the right of destroying their daughters grew into a privilege, which they regarded as a distinction and honour peculiar to their caste.

26 The Hindoo precepts and customs concerning marriage are full of family distinctions, exact so many observances, and impose so many restraints, that a military tribe like the Jahrejas might not be reluctant to receive a dispensation.

27. These restraints, when their operation is strictly enforced, occasion many inconveniences, and in some situations they may prove insurmountable.

28. All these difficulties are felt more in the cases of women than men, and the expense attending their marriage is an obligation which the Jahrejas consider it for their interest and advantage to be exempted from.

29. According to the ancient history of the Jahrejas, their first considerable and well-ascertained establishment was in Scind; but by traditionary accounts there is reason to believe that they at one period extended, under different denominations, over a great part of Persia.

30. Scind was one of the earliest objects of the ambition of the fanatical Califs, or Khalifs, who succeeded to the power and authority of Mahomed.

As the conversion of infidels was the ostensible object of these conquerors, the greatest part of the inhabitants of Persia and Scind were obliged to embrace the Mahomedan faith.

31. It is probable that the custom of Infanticide amongst the Jahrejas was a consequence resulting from the Mahomedan conquest of Scind.

32. By the conversion and conquest of the greater part of the inhabitants of Scind, who were undoubtedly Rajputes before that event, the Jahrejahs were deprived of the usual means of disposing of their daughters in marriage.

33. This event, or some occurrence of a similar kind in the history of these tribes, which interrupted their intercourse and their ancient habits, must, we may conclude, have arisen, and have been sufficiently powerful to introduce the strange custom of infanticide.

34. At the period of the conquest of Scind the Jahrejas were not arrived at that state of society when the sentiments of humanity have much influence; but, under the guidance of their passions and prejudices, they were capable of acutely feeling every circumstance that affected the honour of their family or caste.

35. The Jahrejahs, finding themselves suddenly surrounded by tribes who had embraced a new faith, and precluded thereby from marrying their daughters to those among them among whom they were formerly accustomed to contract matrimonial engagements, may, under such circumstances, have preferred the expedient suggested, and encouraged by superstition, of destroying their female offspring.

36. They may have adopted this dreadful expedient in preference to the sin of rearing their daughters in a state of celibacy, or of exposing themselves to the disgrace which would be incurred by incontinency; and the policy of their chief may have either concurred in or invented the delusive responsibility of the Rajgor.

37. The credulity and superstition of the Jahrejahs would not suspect the incompetency of the intervention of their bramins; and this veneration for the advice of religious preceptors is not a new sentiment, nor is it peculiar to any religion.

38. We know that the Jahrejahs maintained their independency in Scind for a long period, and resisted their invaders with spirit and fortitude.

It is probable that they were not completely subdued until obliged to migrate into Kutch, where they established themselves, and retained their own religion.

39. But before this event, the insulated situation of the Jahrejas in Scind, amongst tribes of different classes from themselves, and the expense and risk that would attend the sending of their daughters to countries where they might be affianced to Rajputes of a proper descent, had impelled the Jahrejas to have recourse to Infanticide.

Being precluded from disposing of their daughters in their own vicinity, they were sacrificed to their pride, convenience and superstition.

40. In subsequent times, when the emigration of the Jahrejas into Kutch and Guzerat, inhabited by Rajputes, offered abundance of husbands for their daughters, and removed the plea for their destruction, the custom had been established, and was considered as one of their unalienable rights.

41. The Jahrejas had also conceived many barbarous notions of their own superiority, and they under-valued or despised the tribes amongst whom they had obtained a compulsory settlement.

42. The circumstance of conquest, under which they settled in Kutch and Guzerat, confirmed this sentiment of superiority.

As the Jahrejas came from a distant country, they had many foreign and strange habits; and their dewey, or household god, was different from the worship of the other Rajpoots among whom they were now established.

43. The

43. The custom of killing their daughters, we may suppose, had by this time produced its effects on the manners of the Jahrejas; and, as their wars with the Mussulmans had made them more hardy and enterprising than the inhabitants whose possessions they had conquered, the same cause would render them more arrogant and overbearing.

44. This is still the character of the Jahrejas.

45. The history of the Jahrejas also, since they arrived in Kutch and Guzerat, bears evidence of their incapacity for government, and of their capricious and imprudent conduct.

46. It is necessary to mention these traits in the character of the Jahrejas, as they would operate to maintain the practice of Infanticide after their settlement in this country, and when the original pretence for its origin ceased to exist.

47. In what way soever the practice of Infanticide was introduced, it must be referred to the peculiar manners and political state of the people. The sequel will disclose the circumstances that at present maintain and preserve this barbarous custom.

48. Strangers to parental emotions and affections, the great cause for destroying their children is avarice, and that they may not be exposed to the cares and expense attending their establishment in life.

49. This was actually pleaded by the Jahreja chieftain in defence of the practice which deprived them, they said, of much care, vexation and expense; and which had been so long in existence that the heinousness of the crime was altogether lost sight of in its antiquity.

50. The practice which prevailed in Europe, and chiefly amongst the principal families, of placing their daughters in nunneries, might be traced to the same motives that led the Jahrejas to put theirs to death; and both have originated in the desire of diminishing the cares and expense attending a numerous family.

51. They also pleaded their aversion to relinquish a custom which they conceived to attach renown to their caste, and to distinguish it above all the other Rajputes, in this quarter at least.

52. In order to explain the operation of these sentiments on the minds of the Jahrejas it is necessary to anticipate a circumstance, and to mention that there are several instances of Jahrejas who have allowed their daughters to live.

53. In those instances they are instigated by their pride, and their ideal notions of superiority to give large marriage portions with their daughters.

54. It is a maxim with them, that the daughter of a Jahreja, independent of her person, and the honour of their alliance, should carry wealth into the house of her husband, and be a valuable acquisition to her new connections.

55. An instance, however, occurred in the petty Jahreja chief of Kattywar saving a daughter, and afterwards contracting her in marriage to a son of Meroo Kowass.

This was considered as an extraordinary instance of degradation, which even the pressure of necessity and interest could not excuse.

The marriage was not consummated, and the father never permitted his daughter to repair to her husband's house.

56. These sentiments are common to the rich and the poor, and have undoubtedly contributed to perpetuate the practice of Infanticide.

57. In considering the causes which have tended to confirm and continue this practice, considerable weight must be given to the apathy and indifference with which it has ever been received by the rest of the Rajpute families and the Bramins, who are numerous in this country.

58. It does not appear that any effort has been made for the general suppression of this crime, for which they possessed a simple and effectual remedy, by refusing to affiance their daughters to the Jahrejas, unless on the condition of rearing their female offspring.

59. Such an idea never seems to have occurred to the other Rajputes, on the contrary, they appear to have countenanced the practice of Infanticide, not only by intermarrying their daughters with the Jahrejas, but by allowing them to become the instruments of murdering their own offspring.

60. These Rajputes were led to this unnatural compliance from the ease and facility with which their acquiescence enabled them to marry their daughters. To this

PART II.
Rajputes,
1800—1808.

this interested motive they appear to have sacrificed the sentiments of religion and humanity without any repugnance.

61. They excused, however, to me, and endeavoured to palliate, their want of sensibility, by pleading the immediate usages of caste, and the impropriety of interfering in those of the Jahrejas.

62. Curiosity will naturally be excited to learn the forms and methods observed in committing these Infanticides; and whether they were attended by any compunction and ceremony.

63. The common expressions for Infanticide are " Dekree Marne ne Chal," or " the custom of killing daughters," and " Naree Deekree Marne ne Chal," or " the custom of killing young daughters."

In conversation, and in discussing the subject with the Jahrejas, the term used was " Deekree Babut," or " the article of girls."

64. The subject is disgusting, and I shall endeavour to state briefly the result of my inquiries.

Although the Jahrejas spoke freely of the custom of putting their daughters to death, and without delicacy, and without any pain, they were more reserved on the mode of their execution, and appeared at first unwilling to be questioned on the subject.

65. They usually replied that it was an affair of the women; it belonged to the nursery, and made no part of the business of the men. They at last, however, threw off this reserve.

66. The following is the translate of a memorandum from Wassonjee Eswarjee, a Nagur Bramin, who attended the camp in the quality of Vakeel from the Gondul Chief.

" When the wives of the Jahreja Rajputes are delivered of daughters, the women who may be with the mother repair to the oldest man in the house; this person desires them to go to him who is the father of the infant, and do as he directs.

" On this the women go to the father, who desires them to do as is customary, and so to inform the mother.

" The women then repair to the mother, and tell her to act in conformity to their usages. The mother next puts opium on the nipple of her breast, which the child inhaling with its milk, dies.

" The above is one custom, and the following is another: When the child is born, they place the navelstring on its mouth, when it expires."

67. From the conversations of the Jahrejas it appears that the opium is put into the mouth of the child; but the mode of administering this drug, described by Wassongee, may have given rise to the opinion that the Jahrejas drown their daughters by throwing them as soon as they are born into a vessel of milk.

68. From every inquiry I could not understand that the Jahrejas ever put their daughters to death after this manner; but the story may have had its origin in the idea of the infant imbibing poisoned milk, or from an expression which is ascribed to the father, who, when the birth of a daughter is announced, with brutal equivocation, says to the attendants " Dhood Pillana."

69. This is but a popular story; and, independently of the circumstance of few infants sucking immediately on the birth, the placing of opium on the nipple would effectually prevent it.

70. The true manner by which the Jahrejas kill their daughters, as received from the chieftains of Rajkote and Jallia, is subsequently related.

71. There is apparently neither merit nor demerit attached to the saving of their daughters; but, although the act is optional and voluntary, it seems more reputable to destroy them. The few instances that have been traced to the contrary would establish that the practice of Infanticide was considered more honourable; for, although the motive may be gross and selfish, it is the natural disposition of men to ascribe their actions, especially when they are deviations from natural principles, to illustrious and generous sources.

72. If a father wishes to preserve a daughter, he previously apprises his wife and family, and his commands are obeyed.

If a mother entertains the wish of preserving a daughter, and her husband is averse to it, the infant must be put to death.

PART II.
Rajpoots,
1800—1808.

73. There are, however, instances wherein the blandishments and influence of the mother have succeeded in saving the infant, by obtaining the revocation of the decree for its destruction, but these instances of maternal solicitude are either unfrequent, or but seldom successful.

74. The father sometimes expressly orders the infant to be put to death, probably when he suspects some tendency or intention of the mother to preserve it; but, in general this sanguinary intimation is unnecessary, as a total silence on the part of the husband is considered to imply his unalterable resolution that the child, if a female, should perish.

75. To render this deed if possible more horrible, the mother is commonly the executioner of her own offspring.

Women of rank may have their slaves and attendants, who perform this office; but the far greater number execute it with their own hands.

76. This compliance of the women must appear the more extraordinary, as they belong to castes who rear their females, and are brought up in families where their own existence is evidence against this unnatural practice: but as they are betrothed at an early age they imbibe the superstition of their husbands, and some of them appeared even as advocates for this custom.

77. They have been known to pride themselves like the Jahrejas, and to consider their murder as an act of duty, an act which these females, who are mild, modest, and affectionate, would, if married into any other caste, hold in detestation.

78. They appear to have several methods of destroying the infant, but two are prevalent.

79. Immediately after the birth of a female, they put into its mouth some opium, or draw the umbilical cord over its face, which prevents its respiration.

But the destruction of so tender and young a subject is not difficult, and it is effected without a struggle, and probably without pain.

80. The natural weakness and debility of the infant, when neglected and left uncleaned some time, causes its death, without the necessity of actual violence, and sometimes it is laid on the ground, or on a plank, and left to expire.

81. These accounts I learnt in conversation with Jahrejas, and prefer them to the information of the translated memorandum.

82. The infant, after it is destroyed, is placed in a small basket entirely naked, and in this state carried out and interred. In Kattywar any of the female attendants of the family perform this office; but in Kutch it is done by the domestic Rajgor.

83. The Rajgors who bury the infants that perish receive a fee of one koree, which is a coin equivalent in value to one third of a rupee, (or about 10 sterling,) and a meal.

84. In Kutch the female Rajgors are the executioners of the infant instead of the mother, and this seems to approach nearer to the origin of the custom.

85. The birth of a daughter is considered by the Hindus of every description as an inferior event, and they rarely make it the subject of congratulation or festivity, while the birth of a son is celebrated with every ostentation and hilarity.

86. It is not, therefore, surprising, that on the birth of a daughter, which they may have even preserved, and predetermined to bring up, a Jahreja family should discover no demonstration of joy. The event is allowed to pass over in silence, as if they were ashamed of it.

87. Should any inquisitive person ask a Jahreja the result of the pregnancy of his wife, if it were a female, he would answer "nothing;" and this expression, in the idiom of the country, is sufficiently significant.

88. The infant is invariably put to death immediately on its birth, and it would be considered a cruel and barbarous action to deprive it of life after it had been allowed to live a day or two.

89. Although instances of this cool and deliberate murder may be very rare, yet from the examination of a Jahreja, who was reported to me as having been guilty of this deed, I have reason to believe they sometimes occur.

90. The death of a daughter is generally viewed by a Jahreja as an infallible consequence after its birth; and it is considered to be an event of such insignificance;

that he is seldom apprised of it. The occurrence excites neither surprise nor inquiry, and is never made a subject even of conversation. It is attended by no ceremony, and publicity is avoided.

91. The Jahrejas spoke of it with the utmost levity, and are perfectly indifferent with respect to the mode of putting their female offspring to death, provided the inhuman deed is performed.

92. Jussajee of Jallia has had three daughters; they were all put to death at the time of their birth. Jussajee attended the camp, is a man of intelligence, and served the detachment as a guide.

The character and disposition of Jussajee, both for humanity and propriety, is favourable; but he has not the least compunction for the murder of these children, and considers the deed to be in every respect justifiable.

93. The practice of Infanticide appears to have been discontinued by the descendants of the Jahrejas who inhabit Scind, and who have become converts to the Mahomedan religion.

94. I was told, however, of an exception, and that one of these converted tribes or families still follow the custom of their ancestors.

95. A few of the Jahreja tribes of Kutch have also discontinued Infanticide, or practise it but occasionally; for my information was not clear and positive on this point.

96. The following Jahreja families in that country were mentioned to be as systematically refraining from Infanticide, and their names deserve to be recorded.

The families of Bulach, Bottan, Sar Kubbur, Kotee, Ubra, Jarria, Guffun, Murasee, Mokarra, Kuya, Retreea, Mor, Row, Jessa, Dessa, Danrar, Detteea, Joreea, Adreea, Verac, Kunorde, and Veeur, are enumerated as rearing their daughters.

97. Some of these families are of respectability in Kutch; but the far greater part of the inhabitants follow the practice without the least remorse.

98. In the Peninsula, although some individuals have occasionally preserved their daughters, it appears to have been the result of accidental circumstances and impressions, and not the effect of any steady resolution or principle.

99. The origin of Infanticide among the Jahrejas is not supposed to be more remote than 500 years.

100. As no disgrace or stigma is attached to the omission of this act, we might expect that natural affection would prevail over a barbarous custom; but this is overpowered by the influence of habits and prejudices, strengthened by little selfish views of economy and of domestic ease.

101. I endeavoured to ascertain the motives of the Jahrejas who preserved their daughters; and, by their own confession, this act of humanity did not proceed from parental feelings.

102. It appeared to be inspired, not by motives of affection for the object, so much as by personal considerations, arising from the ideas of Metempsychosis, which are so universally and rigidly observed by the Shavuck Banians, who are the followers of Jena.

103. These people consider it a sin to deprive any being or creature, however mean or noxious, of life; and their doctrines are said to have made an impression on a few of the Jahrejas.

104. It would be an interesting inquiry to ascertain the number of females who perish annually from this detestable practice of Infanticide.

This could only be effected by a personal inspection, and a careful research amongst the Jahreja families, which might determine their numbers, and obtain a tolerably correct estimate of these casualties.

105. The result of my information was too general, vague and uncertain, to afford the data of an accurate calculation; but it may be still useful to state this information, as, although defective, it may convey some determinate notion of the extent of this offence against the first laws of human nature.

106. I shall begin by stating an account which has the appearance of exaggeration.

According to a loose computation, the number of Jahreja families inhabiting Kutch and Kattywar is estimated at 125,000 and the number of female infants yearly destroyed to amount to 20,000.

PART II.
Rajpoots,
1800—1808.

107. Being desirous, however, of reducing this inquiry to a state of greater certainty, I endeavoured to procure a particular list of the Jahrejas inhabiting these countries.

I found it impracticable to obtain this information of Kutch; but the following is an account of the names and the number of Jahreja families inhabiting Hallaur and Muchoo Khaunta, furnished by an intelligent native, and well acquainted with that extraordinary race.

108. A list of the families of the different tribes of Jahrejas who inhabit Hallaur and Muchoo Khaunta:—

Jam Zadeh, or the descendants of the Jams	40
Hurdôls	500
Doonguranee	500
See Sungeea	100
Kubbur	100
Rewanee	100
Weebanee	500
Lakanee	100
Moranee	500
Kunderya	100
Ummur	100
Bharanee	100
Bhahanee	50
Amrun	500
Dil	600
Halla	100
Hapa	100
Khumanee	100
Kana	200
Rao	400
Batach	100
and other castes	500
	5,390

109. It is supposed that the annual number of Infanticides in the Peninsula of Guzerat amount to 5,000.

110. The number of Jahrejas in Kutch, on the authority of the natives, is ten times as many as those of Hallaur and Muchoo Khanta, and this would give us a population of 150,000 men; for all these calculations are exclusive of women and children, who must, from the nature of the case, either be wives or boys.

111. As a number of Jahrejas in that country have disused Infanticide, without any formal renunciation, however, of the practice, the number of deaths may be estimated at 30,000.

112. I shall, lastly, state the lowest estimate that I received of those murders; and although its moderation may appear in favour of its truth, I am disposed to think this account as short of the number destroyed, as the preceding is probably an exaggeration of this circumstance.

113. These accounts, it is to be observed, do not pretend to rest on calculation, but convey the opinions of persons well informed of the state of the country. According to this authority the number of Infanticides annually in Hallaur and Muchoo Khanta are between 1,000 and 1,100; and in Kutch about 2,000.

114. The disagreement of these estimates would probably defeat any attempt to reconcile them, but they are sufficient to establish the enormity and magnitude of the crime.

115. It has already been remarked, that whenever a Jahreja saves his daughter he invariably exerts every means, sometimes to the impoverishment of his family, to obtain a respectable settlement for her in life.

It is, perhaps, this strong desire that prevents the lower orders saving their daughters.

116. The instances that were reported to me of Jahrejas who saved their daughters, were of families of rank in the country; but these instances of humanity are few.

117. I shall begin with stating the most remarkable instance, as it was the effect of conscience, although operating by a kind of double faculty.

118. The Jahreja, Makajee of Anundgur, one of the Byaud of the Gondul chief, renounced, after a short period, every matrimonial intercourse with his wife, from the apprehension of begetting a daughter.

119. This self-restraint was persevered in for several years, and Mokajee during that period patiently resisted the scoffings and persuasions of his caste and relations, without being in the least diverted from his purpose.

120. The case became serious, and the family assembled to prevent the misfortune, if possible, of Mokajee dying childless.

121. After every other expedient had failed of success, Koombajee, the late chief of Gondul, in his capacity of Teelaat, or head of the family, was obliged to lay a solemn and public injunction on Mokajee, to preserve his daughters. On receiving the order of his superior, Mokajee returned to his wife, and had born to him in succession, four daughters, a circumstance which exposed him again to the taunts of the Jahrejas, but which Mokajee appears to have supported with philosophical indifference.

122. These daughters are still alive, and married to the present chiefs of Draugudra, Wudwan, Limree, and Wancaneer.

123. The motives that led Mokajee to pursue this conduct deserve to be explained; but it is first necessary to mention that he had become a Kubeer Punt.

124. The Kubeer Punts form a sect of Biragees, who follow the tenets of Kubeer, a holy man who lived about 300 years ago.

They deny in general the authenticity of the Shasters and Vedas; and assert that God is one and indivisible, possessing in himself every attribute ascribed by the Hindoos to different deities.

They deny the doutars or incarnations, and they place no confidence in the efficacy of the ceremonies of worship, and purification by washing in rivers; but put their whole trust in the sincerity of devotion, and in good works.

125. Kubeer himself was a Mahomedan by caste, and a weaver by profession.

His disciples may be either Mahomedans or Hindus. On his death the Mahomedans claimed a right to bury him, the Hindus to burn him; in consequence of which they quarrelled, and placed a sheet over the corpse, which, when they withdrew, they found the upper part of his body to be metamorphosed into a tolsee plant, the favourite nymphæ of Kristna, the lower part into rehan, an odoriferous herb of a green colour, the colour of the prophet Mahomed.

126. As a zealous Jahreja the honour and custom of his caste required that Mokajee should kill his daughters.

As a Kubeer Punt, the principles of the sect rendered Infanticide unlawful and criminal.

127. In this situation Mokajee could only avoid disgrace or sin by that course of celibacy which he prescribed for himself, and from which he was so happily relieved by the commands of his chief.

128. The chief of Kersura is the next instance of a Jahreja who has brought up his daughter, and who is now married to Wujee Sing, the eldest son of the Thakore of Bhownuggur.

It was neither natural affection, nor any conscientious sentiment that made the chief of Kersura save his daughter.

129. The whole merit of this act of humanity is due to an Arab Jemadar, who gave up to this sordid and mercenary chief all the arrears of pay which he had earned in his service, and which amounted to a considerable sum, on condition that he would preserve his daughter.

130. It is more pleasing to relate the third instance, as it appears to have proceeded from the natural affections of a parent.

Dadajee, the brother of the present chief of Rajkote, has preserved his daughter; and, from his conversation and manners, I was fully impressed that it was the effect of principle and duty.

131. A similar instance occurs in the example of Hootajee, the chieftain of Kotara Sangani, who has preserved all his female offspring.

132. It is to be observed, that the families of Rajkote and Kotara are both in impoverished circumstances, and the principle that has led them to save their daughters is the more unquestionable and meritorious, as they have voluntarily burthened themselves with the great expense of providing for them.

133. Hootajee is a professed robber, with whom sentiment and feeling might be supposed to be strangers.

The profession which he followed did not prevent me conversing with Hootajee, nor to avoid a pretty frequent intercourse with him.

134. This man, with the aspect and manners of a barbarian, possessed all the feelings of natural affection, which led him to cherish his daughters in opposition to the usage and prejudices of his tribe.

The daughters of Hootajee are between six and eight years of age, and he brought them both to my camp, where they were vaccinated.

135. I observed their father caressing them with pleasure, and exulting in them with true parental satisfaction, and their persons and manners were very interesting.

136. It deserves remark, as exhibiting a strong feature in the character of the Jahrejas, and of their feeling with respect to their daughters, that these girls wore turbans, and were dressed and habited like boys.

137. As if afraid or ashamed of acknowledging their sex, they assured me that they were not girls, and, with infantine simplicity, appealed to their father if it were not the case.

138. The last instance which I shall mention of a Jahreja saving his daughter is the chief of Mallia, and I believe this comprises the whole number of existing cases that came to my knowledge.

139. The wife of this Thakore prevailed on him to rear his daughter; but, notwithstanding this, he was one of the last who subscribed to the instrument for abolishing the practice of infanticide.

140. My reports for the settlement of the revenue of this country have occasionally exhibited a solitary instance, wherein the Jahrejas have saved as well as destroyed their daughters, but my intercourse with the Jahrejas brought me acquainted with several who had caused three or four of their female offspring to be put to death; and they spoke of the circumstance with the indifference incident to the most ordinary transaction.

141. The Jahrejas carefully select their wives from the most respectable Rajpute families, and although they give a general preference to the Jahllas, they marry apparently into any of the numerous Rajpute tribes.

142. The Jahrejas marry the daughters of Jhalla, Wagela, Goel, Churassumma, Purmar, Surweyo, Soda, Jaitwa, Wala, and Wadal tribes.

They give in marriage such legitimate daughters as they preserve to any of these castes; but invariably endeavour to affiance them to the highest rank or tribe in their power.

143. Illegitimate daughters are not given in marriage to Rajputes, but are bestowed on Mussulmen, or on Hindus of an inferior caste, under the best circumstances they can select.

144. I was told that the Jahrejas, from the difficulty of procuring wives, were in the habit of marrying bastards and slaves, but I was satisfied that this was an untruth.

145. On asking Jussajee if this was ever the case, he appeared to feel great indignation, and to think that it was intended to insult him; but on explaining the motive of the inquiry, Jussajee acknowledged that the Thakore of Banwur, under the hope of supporting himself through the great influence which Meroo Khawass possessed at Nowanuggur, was affianced to his daughter, but the contract was not completed, and the Thakore never admitted the woman into his house. Even the poorest and lowest Jahreja feels the utmost solicitude not to taint his blood by an improper alliance.

146. It does not appear that the number of their wives is limited by any rule.

147. The practice of concubinage is common among the Jahrejas, and in forming these connexions they are under little or no restraint with respect to caste.

148. It will be observed that the settlement of their daughters born of rackeelas, or mistresses, is attended with little expense or publicity; and the motives, therefore, which lead the Jahrejas to destroy their legitimate daughters do not in the former case exist with equal force.

149. Rao Luckput, the grandfather of the present sovereign of Kutch, had a daughter by a rackelee, whom he preserved, and afterwards married to Damajee Guicawar.

The name of this lady, who has since returned to Booj, where she resides, is Mata Bhye; but from her alliance with Damajee she is commonly styled Byhe Maharaj.

150. It may be observed, however, that this marriage among the Marhattas is reckoned of an inferior kind, called Khanda Luggun, or a marriage celebrated by the proxy of a sword, and the children would be considered illegitimate, or incapable of inheriting the Guicawar Gadee.

Khanda, a scimetar.
Luggun, connection.

151. Political reasons induced Rao Luckput to form his connexion with Damajee.

The country of Kutch was at that period threatened with an invasion from Scind, and Rao was desirous of protecting himself by the powerful alliance of Damajee.

152. The marriage was celebrated at Putten with great pomp and expense.

Damajee survived this transaction but two years, and at his death his widow returned to her relations.

153. This lady derives her support from her own family, and lives on the produce of a Jaghire from the Rajah of Kutch.

154. The uncle of Rao Luckput had a daughter by a rackelee of the Khomarin caste, who was famous for her beauty. The daughter was affianced to the king of Scind, a Mahometan.

155. The present chief of Kutch has, likewise, a daughter by a rackelee, who was betrothed to a son of the Joonaghar nabob, but Futteh Mahomed prevented the celebration of the marriage, and it is now considered to be dissolved.

156. These instances may be sufficient to show the treatment by the Jahrejas of their illegitimate offspring, and they appear to spare them rather from a contemptuous opinion of their inferiority, than from humanity. These children are not considered to belong to the caste, and their future situation in life is of little consequence, but the pride and prejudices of a Jahreja make him occasionally, also, destroy his spurious offspring.

157. It is remarkable that it is the practice of these rackelees or mistresses to perform suttee with deceased Jahrejas, which is but rarely done by their wives.

158. When Rao Lacka, the grandfather of Rao Raydim, the present chief of Kutch, died, fifteen rackelees burnt at his funeral pile, two of these women were Mahometans of the country, and another a Seedeen; the rest were Hindus of different castes, but not one of Rao Lacka's wives sacrificed herself on this occasion.

159. This deviation from the general Hindu practice is merely the effect of another habit or custom, as there is no law against a Jahreja wife burning with her husband, and they sometimes voluntarily devote themselves to the flames.

160. This ceremony, however, is less expected from the wife than the rackelee, and these unfortunate females conceive it a point of honour to consume themselves with their lords, often being inspired with a dreadful emulation to become the first victim.

161. It may be necessary to correct an opinion which many Europeans have entertained, that these sacrifices are compulsory.

162. The Jahrejas wives and rackelees are at liberty to follow this custom, or to abstain from it, and neither disgrace nor opprobrium is attached to those who may choose to survive.

163. It may be mentioned as another extraordinary deviation from the general custom of Hindus, that in the district of Hulwud, the wives of the lowest castes invariably burn with their husbands, and this may be the reason that the Jahreja women excuse themselves; and as it is only people of rank who keep rakelees, instances of this nature are not frequent.

164. The influence of example and communication are capable of procuring converts to the most criminal and flagitious courses.

PART II. Rajpoots, 1800—1808.

165. The Jaitwa Rajputes, who rule over the division of Burrudda, known at present under the name of Poorbunder, have been accused of adopting the barbarous practice of the Jahrejas in destroying their daughters.

166. The Jaitwas may have thought it no disgrace to follow a custom cherished by their conquerors; and, having lost the greater part of their possessions, they may have been desirous, like the Jahrejas, of relieving themselves from the burden of portioning their daughters.

167. The Jaitwas, however, do not pretend to deny the sin of Infanticide, and avoid an open avowal of the practice.

168. They observe a silence on the subject, and the deed is performed in secrecy; but the singular fact, that the ranas of Poorbunder have had no grown up daughters for more than a hundred years would be sufficient evidence against them.

169. The ministers of the Rana did not deny the circumstance to me when I communicated the information I had received respecting this practice of the Jaitwas; and their chief executed the same instrument as the Jahrejas did for renouncing the custom; an unequivocal proof that it existed.

170. The doctrines of the Hindu religion have been singularly careful to protect the female sex and infants from violence, and it is unlawful to put a woman to death for any offence whatever.

171. In support of this opinion they quote the following sloke or verse:

Shut gao wudhe vepra
Shut vepra wudhe istreea
Shut istreea wudhe bala
Shut bala wudhe muresha.

" To kill one Bramin is equal to one hundred cows:
" To kill one woman is equal to one hundred Bramins:
" To kill one child is equal to one hundred women:
" To kill one hundred children is an offence too heinous for comparison."

The crime, therefore, of killing a woman is considered as great a sin as killing a hundred Bramins; and the sin of killing a young child of either sex is equal to killing a hundred women.

172. As the Jahrejas, and many other tribes now calling themselves Hindus, are but very imperfectly instructed in the doctrines of their faith, and entertain many opinions in opposition to it, I imagined at first that the Jahrejas might possess precepts favouring Infanticide.

173. Although my inquiries into the religion of the Jahrejas did not support this conjecture, it may not be superfluous to notice some of their religious opinions and practices.

174. The Jahrejas are comprehended without the Hindu name and pale, but we are ignorant of the origin of the term Hindu, which is not of an ancient date, and it is in many instances so loosely, irregularly, and indiscriminately applied, as to embrace religions professing tenets in direct opposition to the braminical system.

175. The Shravuck Banians, for instance, deny the existence of the Trimurte, the divinity of the Auctars, and the authority of the Vedas. They have no Bramins, and worship different gods; but they are nevertheless comprised under the general denomination of Hindus.

176. The Jahrejas, and the Katties especially, have also a very doubtful claim to this title. It is to be observed, that both these people came from beyond the Hindus, and derive their descent from a country where it has always been supposed a genuine Hindu could not exist. The sun is the real object of their worship, and it is not, perhaps, too extravagant to conclude that they originally followed the religion of the ancient Persians, nor that these religions might have been formerly connected.

177. The religion of the Jahrejas is far from being strict, either in its precepts or practice.

The sun, and the matha assapooree, are the objects of their worship.

178. Her tenets are reported to hold forth, that it is not improper to eat with people of a different faith. In Hallaur the Jarejas observe some scruples on this point, but in Kutch and Wagur scarcely any distinction is observed.

179. The Jahrejas worship the devee, or the goddess of nature, under the appellation of hinglas, who, according to their legendary accounts, saved and nourished their common ancestor, one of the four Jadoons who were saved from the universal destruction that befel their race.

180. When the goddess hinglass bhowanee bestowed on the Jahrejas the kingdom of Kutch, and thereby fulfilled their hopes, they built a temple to her, which they called Assapooree.

By this term the Jahrejas expressed their gratitude, and their confidence in the favour of the goddess; assa, in the Sanscrit, signifying "hope," and pooree, "fulfilled," accomplished.

181. To their devee assaporee the Jahrejas offer up in sacrifice the buffalo at the yearly festival of the dussura, and afterwards feast on the victim.

182. The Jahrejas drink wine and spirits in public, and are in general, especially in particular situations, indifferent about the mode of preparing their food, and seem to be excluded only from eating of the flesh of the cow.

183. The Jahrejas hold their rajgors or domestic priests in little estimation or respect.

By the rest of the Bramins the rajgors are despised; but this seems to arise from their performing the kria, or the ceremonies at the funeral pile, as the karteea bramins do in Guzerat, and other parts of India.

184. Like the karteea, the rajgors receive the alms, which are distributed on the twelfth day, or dowadusha, which finishes the period of mourning.

185. On the twelfth day, the rajgor of the family is placed on the cot of the deceased Jahreja, and stretched out like a corpse, on which is placed several articles of food and raiment.

186. This is taken up and carried to the spot where the Jahreja was burnt, like a funeral procession, provided the crowd allows it to proceed.

The relations of the deceased, and the inhabitants, follow the procession as if it were a real funeral, but the multitude exert themselves to interrupt its progress, and for this purpose throw dust, fire, stones, and every thing missile within their reach. As all these injuries are aimed at the rajgor, he is generally obliged to abandon the cot precipitately, and to fly.

187. The intention of this violence and clamour is to frighten away the evil genius, and to prevent its injuring or molesting the survivors; and the cause of placing food and raiment on the cot is to supply the spirit of the deceased with such articles in the next world.

188. This ceremony is termed seja, from the cot; but it is not peculiar to the Jahrejas, as it is practised by some other tribes.

189. The Jahrejas will sometimes remark, that their gors are poor and despised, which they made no scruple of attributing to the sin of Infanticide, and from the wrath of God for having the weight of that crime on their heads.

190. This singular opinion, which I have expressed nearly in their own words, instead of producing any abhorrence in the Jahrejas against the act, has served to confirm their idea that they have nothing to do with its responsibility and punishment.

191. The Jahrejas respect the Charons and Bhats more than they do Bramins.

192. The dissendee*, or people who receive their support from the charity of the Jahrejas, are called caggar; they are a tribe of Charon, of the Tambel, or, as pronounced by the inhabitants of Kutch, Toomber, and emigrated with the Jahrejas into this country.

193. Although the Jahrejas are not pure Hindus, and know little of the ordinances of the Bramins, yet they believe in all their legends. Although the religion of the Jahrejas may have but a feeble operation in preventing Infanticide, it certainly presents nothing to authorize the practice; on the contrary, the expedient of making the rajgor answerable for the act is a plain proof that they view it to be a crime against religion.

---

* The dissendee are literally those who receive the tenth, or tithe; but this amount has long since been diminished to a mere voluntary donation.

194. I have

194. I have now related such facts and circumstances as have come to my knowledge, concerning the practice of female Infanticide among the Jahreja Rajputes.

195. But, however singular and extraordinary this practice may appear, it is not confined to the Jahrejas.

196. That it prevails among the Jaitwa Rajputes I have already noticed, and it also prevails amongst a people still more numerous; and there are not wanting appearances which would lead us to think that it is connected with the manners and institutions of some of the ancient nations.

197. The practice of female Infanticide prevails with the Rajkoomars and other tribes in Bengal, where it has been happily abolished.

The custom of putting their infant daughters to death has also been discovered to exist with the Rhatore Rajputes of Jeypore and Jhoodpoor, but this fact, when reported to Europe, was doubted, and denied to be possible.

198. It is confirmed, however, by every intelligent and well informed native of that country; nor does there appear any grounds whatever for questioning its existence.

199. The existence of the custom is traced to other tribes of Hindostan, and in particular to the Jauts and Mewats, which latter are a sect of Mussulmans.

200. I am indebted for this information to Nizameddein Hussain: and the following is the translation of a memorandum which he gave me on the subject.

"The Jaut chiefs at Bhurtpore are styled 'Sensuiwal'; those people, or the Sensuiwals, are in the habit of putting to death their daughters at the moment of their birth, by opium, or by strangling.

"The cause of their doing so proceeds from a supposition which they entertain that it is a great disgrace to give their daughters even in marriage to any person.

"And many Mewats, who are Mehomedans, but who are known under the appellation of Mewatee, whose country is near that of the Jauts, kill their daughters from the same cause.

Hatras, east of Agra about 30 miles.

"I suppose the governors of Hatras and Mursan follow the same practice.

"These people are all of the Jaut caste."

201. I have learnt from other sources of information on which I rely, that some of the Rhatore, the Harree of Boondee Kata, the Waish in the Poorub, the Jauts in Hindostan, and some of the Kutchwas of Jeypore, and other Rajpute tribes, kill their daughters.

202. The Jahrejas are aware that the custom of Infanticide is practised by many other tribes besides their own; but although it is probable that they have a common origin, I could not discover the traditionary motive that had led to the introduction of Infanticide amongst so many people of Hindostan.

203. The practice, however, appears to be maintained among them by the same causes which operated with the Jahrejas.

Pride, avarice, the cares of a family, the disgrace that would attend the misconduct of their women, the difficulty of establishing them in life, and an apprehension of exposing their daughters to ill treatment, were assigned invariably, by every person acquainted with this subject, as the causes that induced these tribes to commit Infanticide.

204. I have ventured to suppose that the practice of Infanticide may have some analogy with the customs and institutions of some of the ancient nations.

It would be interesting to trace and develop the laws and customs of the most distinguished people of antiquity which sanctioned Infanticide.

205. If we except the fabulous history of the Amazons, I am not aware that we have any account of a positive law or custom for the regular and invariable destruction of children of either sex.

206. The Amazons are said to have formed a state from which they excluded men. They held a commerce only with strangers, and for the purpose merely of begetting daughters.

They killed their male children, and cut off the right breast of their females, to render them more fit for war.

207. The method of the ancients of exposing their children was a very general practice, and they do not appear to have considered it as either cruel or barbarous.

208. Romulus

PART II.
Rajpoots,
1800—1808

208. Romulus is said to have laid the citizens under an obligation to educate all their male children, and the eldest of their daughters.

209. The requiring of this obligation from the citizens must have been suggested by the necessity of restraining the practice of Infanticide; and Romulus probably trusted in procuring wives for his males from the other tribes in his neighbourhood with as little difficulty as the Jahrejas do at present.

210. Montesquieu has the following observations on this subject, which makes the resemblance still more complete, and proves that the same motives prevailed with the Roman fathers for exposing their children as with the nations of India, who commit infanticide.

"We find not any Roman law that permitted the exposing of children. This was, without doubt, an abuse introduced towards the decline of the Republic, when luxury robbed them of their freedom; when wealth divided was called poverty; when the father believed that all was lost which he gave to his family, and when the family was distinct from his property."

211. It appears that infants newly born were placed on the ground: those who were agreeable to the father he took up, or educated (for these were synonymous terms); but those who were displeasing to him he neglected and exposed.

212. In Greece, Infanticide, or the exposure of children, appears to have formed a part of the policy of those states.

Solon gave permission by the law to parents to kill their children.

213. Aristotle appears an advocate for the exposing of children, and conceives, where this is not the case, that the number of those brought forth ought to be limited. He proposes expedients for this purpose more barbarous than any usage of the Jahrejas.

214. The Greeks appear to have been led to expose their offspring from the sterility of their territory, and the apprehension of want, excited by a redundant population.

215. The same motive, arising from a fear of famine, has induced the government of China, if not to permit, at least to tolerate, parents to sell and expose their children.

216. The Carthagenians are reported to have frequently sacrificed their children; but this appears to have originated in motives of religion and patriotism: the first taught them that the sacrifice of children was acceptable to their gods; and the love of their country inspired the noblest of the Carthagenians to offer up their offspring as victims, to avert or remove any public calamity.

A similar custom was also practised by the Phœnicians and Syrians, the founders of Carthage, and which also extended to the Greeks, the Gauls, and the German nations. Among the Canaanites also, previous to the invasion of the Israelites, similar sacrifices prevailed, and which are termed in Scripture, "passing their seed through the fire to Moloch."

217. In Robertson's history of America we are informed, that the difficulty of training up an infant to maturity amidst the hardships of savage life, often stifles the voice of nature among the Americans, and suppresses the strong emotions of parental tenderness. Some of these women are stated, in particular, to destroy their female children in their infancy.

"But, though necessity compels the inhabitants of America thus to set bounds to the increase of their families, they are not deficient in affection and attachment to their offspring: they feel the powers of this instinct in its full force."

At Otaheite, and other islands of the Pacific, a peculiar society exists who destroy their children; and other nations in a rude state have been found, who do not suffer those to live who are born with any natural defect or deformity.

A more attentive and extensive research would multiply these examples, and illustrate this subject.

218. However disgusting it may be to human nature, we find that many nations have tolerated or permitted parents to destroy their own offspring, and we are certain that parents have deprived their children of life by availing themselves of this privilege; but the custom of exclusively murdering females (although the regulations of Romulus evidently point to their destruction in preference to that of the males,) and a systematical Infanticide, seem to be confined to the Rajputes of India.

---

219. IT will now be necessary to relate, with precision and briefness, the proceedings and expedients which finally led the Jahrejas of the Peninsula to relinquish Infanticide.

220. I entered on this undertaking with sanguine expectations of success, but which were for a long time disappointed; and I must own that the natives had formed much more just opinions on the subject, when they foretold the difficulties that would attend the attempt, which few of them thought could be overcome but by the Company making a conquest of the country.

221. I conceived that reason and feeling would effect the relinquishment of a barbarous custom, unconnected with the principles of society, and which all the passions of the human mind, and all the forms and maxims of religion, were combined to destroy.

222. As it was evident also that the most disinterested humanity had led the Honourable Company to interfere for the abolition of female infanticide, I conceived that this reflection, and the respect due to their mediation, would have disposed the Jahrejas to comply with a request which it was scarcely to be supposed could be at variance with their own sentiments.

223. But sentiments of nature and humanity have no influence with the Jahrejas; and I was soon, however, reluctantly obliged to relinquish the favourable expectations I had formed of success.

224. The difficulties were many and formidable.

225. I had been for several years in habits of friendly correspondence with Jehajee, the chief of Moorbee, and he had continually expressed a strong desire to cultivate the favour of the English Government. The artifices of this chief and his vakeel, who resided in camp, deceived and amused me for some time with promises which proved fallacious.

226. I availed myself of the agency and influence of Soonderjee Sewjee, after his arrival in camp, but with no better success.

At last Jehajee transmitted a paper, in which he offered to accede to my wishes, by preserving his daughters provided I would reduce Mallia, and restore the village of Kurralla, of which he had been deprived by the Guicawar government. Vide Appendix, N° 5.

227. The possession of this paper I conceived of importance, as it discovered the selfish and mercenary motives that attached the Jahrejas to Infanticide.

I preserved it as a testimony which reflected on their pretences of the inviolability of the practice as a custom of the caste, and destroyed every argument which they had attempted to found on principle.

228. When Jehajee perceived the disadvantage which attended the possession of this paper, he made several applications to induce me to restore it, with which I did not comply.

229. As my intercourse and knowledge of the Jahrejas increased, every circumstance tended to show that they followed Infanticide from mean and interested motives only.

It was also evident that it would be very difficult to awaken their natural feelings; and that the same motives of conveniency and interest would have more influence in inducing them to relinquish the practice than any arguments derived from humanity, morality, or religion.

230. It appeared likewise, from the communications of Jehajee and others, that the reproach and odium of being the first to renounce an ancient practice operated as a considerable motive.

The weight and authority of this example could not be complete unless it were set by a chief of acknowledged rank and superiority.

231. The Rao of Kutch seemed to possess these qualifications from his family, and extent of territory.

Vide Appendix, N° 18. 232. I was induced, therefore, to select this chieftain; but addressed myself principally to Futteh Mahomed, whose authority is paramount in that country, and from whom, as a zealous Mahomedan, I was led to expect the exertion of his influence for suppressing a crime against nature and religion.

Vide Appendix, N° 18. 233. The answer, however, of Futteh Mahomed destroyed every hope of success from that quarter.

This jemadar, who rose from the humble station of a goatherd, and is extremely illiterate, had the sentiments of his letter probably dictated to him, and by the hand of his writer transmitted, in an inflated and ostentatious style, an elaborate defence of the practice of Infanticide, such as could be expected to proceed only from an infuriated and bigoted Jahreja.

234. It may not be unworthy of remark, that this defence of Infanticide was written and composed by a Nagur bramin, and promulgated in the name of a Mahomedan, whose religion inspires them with horror against these murders.

235. In the meanwhile every effort and endeavour was continued to prevail on the Moorbee chief to abandon Infanticide, which the long detention of the detachment in the vicinity of that city afforded.

It was the daily subject of letters, messages, and conferences.

236. The humanity and tenderness congenial to the sex induced me to expect the assistance of the women of Jehajee's family.

The preservation of their offspring appeared naturally and peculiarly their business.

237. I conceived that my appeal to wives and mothers, and to women who came from tribes that rejected Infanticide, would be attended with every advantage.

I was further led to entertain great hopes from this plan, on account of the high character of the mother of the chief of Moorbee for prudence, propriety of conduct, and a benevolent disposition.

238. As this lady possessed considerable influence over her son I expected that she would exert it in favour of a measure agreeable to her own feelings. Vide Appendix, N° 10.

239. The embarrassed state of Jehajee's affairs, and the countenance which he stood in need of from me for retrieving them, were circumstances which I conceived would occur to the discretion of his mother, and urge her to obtain from her son a concession which might give the family a claim to my support.

240. My overtures to this lady were, at first, received with the feelings natural to her sex, and she seemed disposed, with the rest of the women, who held several consultations together on the subject, to unite their influence for the abolition of Infanticide.

241. But these ebullitions were of short duration; the Jahrejas were alarmed, and the women contended for the ancient privilege of the caste: they were led away from the path of nature and humanity by the example and influence of their husbands.

242. The mother of the chief of Moorbee requested that she might be excused soliciting her son on this head, and referred me for any further information to Jehajee.

243. At this period my prospect of success was very obscure and distant. Vide Appendix, N° 13.

Although these efforts, however, had failed of their effect, they were useful, and paved the way for success, by turning the attention of the country to a subject which had never appeared before to engage notice.

244. By discussing the subject frequently in the public Cutcherry, and exposing the enormity of the practice, as contrary to the precepts of religion, and the dictates of nature, every caste came to express an abhorrence of Infanticide, and the inveterate prejudices of the Jahrejas began to be shaken.

245. The maxims and passions which favoured Infanticide were, probably for the first time, canvassed and censured with freedom.

246. The progress of this system was slow, but it was insensibly spreading its influence, and became a subject of universal conversation.

The novelty of the attempt, and the extraordinary nature of the subject, also attracted general attention.

247. But whatever influence these circumstances might produce, as Jehajee was the first chief that I had addressed on the subject, it was of the utmost importance to make some impression on him.

I bent every exertion therefore, and tried various expedients to reclaim this chief, who had already destroyed two of his daughters from the practice of Infanticide.

248. At last I obtained from Jehajee a conditional writing to the following effect:

"From motives of friendship, the Honourable Company have urged me to preserve my daughters: to this I consent, if the chief of Nowanugger and Gondul agree."

249. This was the first considerable step towards the attainment of this great object, and the writing appeared to reduce the question to a kind of point of honour, or respect for antiquity, in setting the example of sanctioning an innovation on a general habit.

250. From the character and behaviour of Jam I could have no hopes that he would set this example; but, as the family of Dewajee of Gondul had already preserved several of their daughters, I was led to entertain the most favourable expectations from the general disposition of this chief, and his reputation for humanity.

251. It may be proper to mention that Jehajee first proposed to insert the names of the Rao of Kutch, and Jam of Nowanugger in his writing; but I positively refused to receive the paper unless it comprised Dewajee of Gondul.

252. The compliance of Jehajee with this request it may be but fair to consider as a favourable indication of his sentiments; and that he was secretly, though not extremely, averse to agree to the abolishing of Infanticide.

It may be presumed that he was acquainted with the disposition of Dewajee, and of the general opinion that this chief, when pressed, would renounce the practice of killing his daughters.

253. From Dessajee of Mallia I obtained a similar writing to that received from the chief of Moorbee.

254. I had conceived great expectations from Dessajee, who had preserved a daughter, and had by his Vakeel afforded repeated assurances that he was ready to renounce Infanticide; but it is remarkable that this chief used every evasion and delay to avoid executing a formal deed in renunciation of the practice.

255. It is necessary to notice here, that there were several petty Jahreja chiefs in camp, whose distressed and dependent circumstances rendered them obsequious to any measure proposed by Government, and they were ready to bind themselves by any engagement to renounce Infanticide; but I conceived that their acquiescence would not have the force of example with any of the superior chiefs, and would rather prejudice the cause.

256. Under these ideas I declined for the present entering into engagements with the petty chiefs who followed the camp.

257. The narrative must now accompany the operations of the detachment which traversed the country of Jam and arrived at Kundorera.

I employed this time, as often as circumstances and opportunity permitted, in favour of the design for abolishing Infanticide.

258. Wassonjee Esmurjee, the vakeel of the Gondul chief, residing in camp, enabled me frequently to converse with him on the subject; and this sensible and respectable Bramin was easily prevailed on to unite his influence with mine, in order to prevail on his master to enter into a formal obligation for abolishing Infanticide.

259. During these events Wassangee had occasion to proceed to Gondul on some revenue affairs, and before his departure he privately gave me such assurances as I conceived might be confided in, that he would obtain from Dewajee authority on his return to enter into any engagements which might be required for preserving the daughters of the Jahrejas residing in that part of the country.

260. In this and every endeavour for suppressing Infanticide it is with great pleasure that I mention the cordial and zealous assistance of Wittol Row Dewarjee, the commander of the Guicawar army.

This officer, with the peculiar ardour of his character, embraced every occasion of exposing the enormity of the crime, and of promoting, by his arguments and influence, a detestation of the practice.

261. The mission of Wassongee Esmurjee was entirely successful; and on his return to camp, after expressing the reluctance of his master to set an example which might bring on him the reproach of his caste, a deed of the most solemn, effectual and binding nature was executed, renouncing for ever the practice of Infanticide.

262. The following is a translation of this instrument:

"Whereas the Honourable English Company, and Anund Row Guicawar, Sena Khaskel Shamsher Bahadur, having set forth to us the dictates of the Shasters, and the true faith of the Hindus, as well as that the Brimhaway Wurtuck Pooran declares the killing of children to be a heinous sin, it being written that it is as great an offence to kill an embryo as a Bramin; that to kill one woman is as great a sin as killing a hundred Bramins; that to put one child to death is as great a transgression against the divine laws as to kill a hundred women; and that the pepetrators of this sin shall be damned to the hell, Kule Sootheeta, where he shall be infested with as many maggots as he may have hairs on his body; be born again a leper, and debilitated in all his members. We, Jahreja Dewajee, and Coer Nuthoo, Zemindars of Gondul (the custom of female Infanticide having long prevailed in our caste), do hereby agree for ourselves and for our offspring, as also we bind ourselves in behalf of our relations and their offspring for ever, for the sake of our own prosperity, and for the credit of the Hindu faith, that we shall from this day renounce this practice, and, in doubt of this, that we acknowledge ourselves offenders against the sircars. Moreover, should any one in future commit this offence we shall expel him from our caste, and he shall be punished according to the pleasure of the two Governments, and the rule of the Shasters."

The above writing is duly executed.

263. With the exception of Jam, every Jahreja chief readily and without offering a single objection, subscribed to a counterpart of this instrument.

264. Jam continued to oppose that measure as long as he was able, and made use of every subterfuge and artifice to avoid making the same declaration that his brethren had done.

His first attempt to make the plan miscarry was to persuade Dewajee of Gondul not to sign the engagement. For this purpose Jam used the influence of letters and messengers, but fortunately ineffectually.

265. When Jam Jussajee found, notwithstanding his opposition and remonstrances, that Dewajee had executed the agreement for renouncing the Infanticide, and that the rest of the Jahreja chiefs would follow this example, he probably foresaw that he would also be obliged to comply; but even at this moment he was instigated by his pride and arrogance to offer an exception, by which he expected to save his honour, and to circumscribe the extent of his obligation.

266. Jam proposed that neither himself nor his own offspring should be included in the engagement, but that he should bind himself for his relations and their offspring only to renounce Infanticide.

267. On the grounds, however, that an unqualified abolition was become the Mooluck-Shereshta, custom of the country, or the Raejul Mooluck, order of the government, Jam was informed that his request could not be complied with, and he finally, like the rest of the Jahrejas, concluded and executed a corresponding instrument.

268. It is sufficient, to expose the unworthy motives of this chief, to mention, that after he had agreed to the engagement for renouncing Infanticide, he had the effrontery and meanness to solicit an abatement of his revenue, in order to reimburse the expense, which, as he alleged, he would in future be liable to in consequence of bringing up his daughters.

269. The character of this chief exhibits an extraordinary contrast, of great arrogance and extreme submission, of insolence and timidity: and the treachery and cruelty of Jam are only restrained by the cowardice of his disposition.

270. The originals of these instruments are in my possession, and will be deposited in the Honourable Company's treasury at Baroda, where they may, perhaps, be better preserved than in the Guicawar Dufter, and can readily be produced on any occasion of appeal or reference.

271. Copies of the original instruments remain with the commander of the Guicawar army in Kattywar; and in the appendix to his letter a list will be found of the names of every chief who has subscribed to the deeds for renouncing Infanticide. Vide Appendix, N° 20.

272. The list contains not only every chieftain of note, but every inferior Jahreja chief who enjoys the least share of independence, and comprises within its obligations every Jahreja family inhabiting the Peninsula of Guzerat.

273. Having accomplished the renunciation of Infanticide in this part of the country, I was willing to think that the example might produce a favourable effect Vide Appendix, N° 18.

on the Jahrejas of Kutch, and in this expectation I addressed myself again to Futteh Mahomed.

274. The Jemadar's answer contained a second defence of Infanticide, but in more moderate terms; and it disclosed a circumstance which is probably true, that his situation rendered it improper for him to say anything on the subject of the Jahrejas.

275. It appears that the Jahreja Byaud of Kutch could easily overturn the usurped authority of Futteh Mahomed; and that they only sanction, or submit to it, in consideration that they have acquired thereby an extension of their own authority, and many illegal possessions, but it is generally understood that if this Jemadar attempts to deprive them of any of their privileges, or to circumscribe their unjust acquisition, they could, without much difficulty, deprive him of his own power.

276. Under these circumstances we cannot probably indulge any strong hope that the suppression of Infanticide will soon be attained in Kutch; and in the actual state of affairs in that country, they may afford some apology for Futteh Mahomed appearing as a constrained advocate, perhaps, for the unnatural crime of Infanticide.

Vide Appendix, N° 1 to 20.

277. I have annexed, as an appendix to this letter, my correspondence with the native chiefs concerning Infanticide, and several other documents connected with the subject. I have occasionally alluded to these papers, and they will be found noticed where a reference occurred in the margin of the present letter.

278. I shall now proceed to offer some remarks on the nature and efficacy of the engagements for the renunciations of Infanticide.

279. The ease and readiness, after the example of the chief of Gondul, with which the Jahrejas relinquished the practice of killing their daughters, is difficult to account for on any satisfactory motives of human conduct.

280. This sudden change in the sentiments and dereliction in their manners and prejudices, was not, probably, entirely the effect of example.

The Jahrejas were prepared for the event from the perseverance with which the measure had been pressed on their attention, and they were probably apprehensive that they might expose themselves to some inconvenience and punishment if they continued an opposition, which they had been accustomed in every case to see ending to their disadvantage.

281. However this may be, the difficulty with which these people relinquished the absurd and wicked custom of destroying their daughters may be viewed as no unequivocal proof of the stability of the arrangement, and that it was entered into with more sincerity than if it had been the result of an instant compliance with an arbitrary mandate.

282. But to estimate correctly the determination of the Jahrejas to respect their engagements, it is necessary to refer to the terms of the engagements, the extent of their obligations, and the unquestionable power of the Honourable Company and of the Guicawar, to maintain these contracts in force.

283. The instruments ascertain with precision what the parties have stipulated to perform; and, besides inflicting the penalties derived from caste and religion those deeds confer on the Company and Guicawar a clear and legal right of punishing the offenders.

284. It seems to be incontrovertible that the Jahrejas continued Infanticide from motives of interest or convenience; and the same motives are now brought forward to counterbalance their former prejudice; for if they were to relapse and kill their daughters they would be liable to the disgrace of expulsion from their families, and to an arbitrary punishment, exposing themselves evidently to much greater disadvantages and vexations than can possibly arise from preserving their children.

285. The illiterate condition of the Jahrejas, the confined state of their information, and the acquiescence of successive generations, had shut their eyes to the atrocity of Infanticide; but it is not too much to expect that the instruction and lights they have lately received may produce a beneficial change in their sentiments.

286. The crime of Infanticide has been exposed to the community, and many men who never reflected upon it before, will now, under the impression of its enormity,

PART II.
Rajpoots,
1800—1808

enormity, insensibly impart their sentiments to the Jahrejas who live amongst them.

287. The intercourse of life, and the equal state of this society, afford abundance of opportunity for this communication; and it will produce that influence which is generally the consequence of a free exchange of correct opinion.

288. Among the causes also which are likely to maintain the observance of these engagements, superstition may be mentioned, which was before employed to favour Infanticide.

289. The Jahrejas now understand the punishment denounced by the Shasters for the crime; and the same spirit of religion which transferred the sin to the Rajgors will be equally disposed of by a kind of retributive justice, in consequence of their own voluntary deed, to make them in future answerable for every violation of their contract.

290. Even a temporary disuse of Infanticide would assist towards its entire abolition, by allowing reason and natural feelings to recover their ascendancy.

The great satisfaction of the country, and the general contentment of the Jahrejas themselves, after they had signed the instruments for abolishing Infanticide, whatever repugnance they had before expressed to the measure, appeared to me to afford strong grounds for believing that the engagements would be permanent.

291. The efficacy, however, of these engagements, and the entire suppression of this vice, must be maintained by the vigilance and vigour of the Company's and the Guicawar governments.

Their power or influence must be exerted to punish the first instance of transgression.

292. It might have been desirable, but it was not easily practicable, to have defined the nature of the punishment to be inflicted on future offenders.

293. The great inequality in the power and rank of the Jahrejas rendered it impossible to fix on a common standard of punishment.

There may also be some advantage in leaving this matter uncertain and unlimited.

294. I have now, Honourable Sir, brought to a conclusion the several observations which have from time to time occurred to me on the very extraordinary subject of Female Infanticide, as existing among the tribe of Jahreja Rajputes, and which I have committed to paper as they arose, with little attention to order.

295. The extent to which this horrid practice has been carried affords a melancholy picture of human manners and depravity. The fact which would scarcely obtain credit among the more civilized nations of Europe is now established to demonstration; and the Honourable Company's government have the merit of directing their philanthropic attention to the abolishment of a custom as singular as barbarous, and as contrary to the general feelings of parents and humanity, as ever disgraced the history of man.

296. It is remarkable, that none of the governments who have acquired an ascendancy in India have ever been induced to attempt the abolition of Infanticide; and that a custom so repugnant to every principle of reason and natural affection should have been permitted to exist and be tolerated, even at the very walls of the capitals of the Mahomedan sovereigns of Delhi and Guzerat, without an attempt to abolish it, while the harmless * rites of the Hindu religion should have excited the most bigoted and intolerant persecution.

297. It is satisfactory, however, to reflect that this honour has been reserved for our nation. I trust the engagements which have been executed will be perpetual; and I see, at present, no reason to doubt but they will be observed. The abolition of Infanticide was one of the most popular acts of the Honourable Company's government in Kattywar, and even the Jahrejas themselves seemed to conceive it to be a benefit to be relieved from the performance of an act, which, for the honour of human nature, it must be hoped, could not always be practised without some pity and compunction.

---

* Mr. Duncan observes, in a note on this passage, "Major Walker here adverts to those rites of the Hindu religion that are really innocent, or at least unhurtful to the public"

298. The same motives which directed the Honourable Company to obtain engagements for the abolition of Infanticide will also induce them to superintend, with anxious care, the advantage thus gained to the cause of humanity, until natural feeling shall have gained an ascendancy sufficient to prevent any infraction of the present agreement.

Baroda, 15th March, 1808.

I have, &c.
(signed) *A. Walker*, Resident.

P. S. 1. Since the conclusion of my letter of this date a dissertation upon the horrid sacrifices which were formerly performed by almost every nation on the Globe has fallen into my hands, and which derives credit and authenticity from being the production of the celebrated Jacob Bryant.

2. The numerous facts which the investigating genius of that learned man has concentrated, gives a most melancholy picture of the enormities which were practised by almost every nation of the Globe, under the impression of a bigoted and gloomy fanaticism.

3. Even the ancestors of our own nation are implicated in those horrid impieties, proving in a most forcible manner the great and manifold advantages which attend the progress of modern civilization.

4. But if these sacrifices were so horrid and numerous, as to induce the Grecian biographer to doubt whether it would have been better for the nations of Scythia to be ignorant of the existence of a Deity, than to propitiate him by such cruel offerings, what would have been his sentiments were he acquainted that a numerous nation, without compunction, doomed to irrevocable death, the whole of their female offspring?

5. Horrid and detestable as the sacrifices related by Mr. Bryant were, they were yet the production of the most noble sentiment that can animate the human mind, although under melancholy and mistaken impressions.

6. To avert calamity from the nation, to gain some common blessing, was the general motive; but among the Jahrejas it originated in the destruction of every manly and humane principle, and was nourished by pride, avarice, and convenience.

7. Mr. Bryant does not appear to be aware of the existence of human sacrifices among the Hindoos; and it is melancholy to add to the list of human infirmity by citing the translation of the Rudheradhyaya from the Calican Puran, by Mr. Blaquiere, as an evidence of this barbarous rite being sanctioned by the Hindu legislature.

8. It was not only enjoined, but in the ancient rites of the Hindus was frequently practised, under the denomination of Mer Med, or Wud, the sacrifice of a man.

9. There is at this day a numerous class of Bramins who are accused of this practice. They are called Kurrada, and are inhabitants of the Conkan.

10. The object of their worship is Maha Leckshinee, to whom human sacrifices are acceptable; and the more so if the victim is a Bramin, learned in the Shasters.

11. The public performance of this sacrifice has long since fallen into disuse; but a sect of the Kurrada Bramins are accused of effecting, by the secret operation of poison, that object which they dare not publicly avow.

12. I know several Kurrada Bramins in respectable public situations, intelligent, charitable, and humane, who would abhor the commission of this detestable crime, and who, though they admit the former existence, most strongly deny its present practice; but the power of prejudice is sometimes stronger than the completest evidence of moral conduct; and many people under the influence of this passion would decline to eat of food prepared by a Bramin of this tribe, of which he himself should not at the same time partake.

There is no N° 13 in original.

14. Since my return to Baroda also, I have met with an account of Infanticide which ascribes its origin to a circumstance more probable than the disappointment felt by the Rajah at not finding a suitable match for his daughter.

15. It is said that some of the early Musselman invaders of the Jahrejas country, who experienced the determination with which they defended their liberties, united policy to their arms, and sought to consolidate their interests in the country by demanding the daughters of the Rajahs in marriage.

PART II. Rajpoots, 1800—1808.

16. The high-spirited Jahrejas would not brook the disgrace, and pretended they did not preserve their daughters; but, fearful of the consequences, and that force would be resorted to in order to obtain what was refused to entreaty, they listened to the advice of their rajgors in this extremity, and deluded by the fictitious responsibility which they accepted, the practice of Infanticide originated, and has since been confirmed.

17. In consistency with this relation is an account which I have heard of one of the Rajahs of Noannuggur, whose daughter was demanded in marriage by the Emperor of Delhi, and which also throws some light upon the doubtful point, whether a grown up daughter is ever put to death? It appears that although much discredit would attach to a Jahreja who killed his daughter, after having preserved her for any time, yet that such occurrences, however unfrequent, are not without precedent. It is probable that the caste or family would resent such a deed, and refuse to eat with the perpetrator.

18. In some period of the history of the Jahrejas it is said that one of the Jams was despoiled of his country by the king of Delhi, who promised to restore it provided Jam gave him a daughter, whom he had preserved, in marriage. This must have been a legitimate daughter, as Jam disdainfully rejected the alliance, and transmitted his refusal through the governor of Ahmedabad, who was the medium of the proposal on the part of his sovereign.

19. After some time however was given to reflection, Jam was counselled by his friends to comply apparently, and to depart for Delhi, accompanied by his daughter, when he might evade the disgrace, save his honour, and recover his country, by putting his daughter to death, and give out that she died of sickness or fatigue during the journey. The plan was accordingly put into execution, and this conduct does not appear to have received the disapprobation of the caste; probably it was applauded.

20. As Mr. Bryant's production is interesting, and generally relates to the subject of the letter, I beg to annex it to this postscript.

Baroda,
15th March 1808.

(signed) *A. Walker*,
Resident.

An Account of the cruel Sacrifices of the Canaanites, Phenicians and other Nations, from Observations and Inquiries relating to other parts of ancient History, by Jacob Bryant.

[Extracted from the Annual Register (vol. x.) for the year 1767.]

One would think it scarcely possible that so unnatural a custom as that of human sacrifices should have existed in the world; but it is very certain that it did not only exist, but almost universally prevailed. I have before taken notice, that the Egyptians of old brought no victims to their temples, nor shed any blood at their altars. But human victims, and the blood of men, must here be excepted, which at one period they most certainly offered to their gods. The Cretans had the same custom, and adhered to it a much longer time. The nations of Arabia did the same. The people of Duma in particular sacrificed every year a child, and buried it underneath an altar, which they made use of instead of an idol, for they did not admit of images. The Persians buried people alive. Amestris, the wife of Xerxes, entombed twelve persons quick, under ground for the good of her soul. It would be endless to enumerate every city, or every province, where these sad practices obtained. The Cyprians, the Rhodians, the Phœcians, those of Chios, Lesbos, Tenedos, all had human sacrifices. The natives of the Tauric Chersonesus offered up to Diana every stranger whom chance threw upon their coast. Hence arose that just expostulation in Euripides, upon the inconsistency of the proceeding, wherein much good reasoning is implied. Iphigenia wonders, as the goddess delighted in the blood of men, that every villain and murderer should be privileged to escape; nay be driven from the threshold of the temple. Whereas, if an honest and virtuous man chanced to stray thither he only was seized upon and put to death. The Pelasgi in a time of scarcity vowed that they would give the tenth of all that should be born to them for a sacrifice, in order to procure plenty. Aristomenes, the Messenian, slew three hundred noble Lacedemonians, among whom was Theopompus, the king of Sparta, at the altar of Jupiter at Ithome;

without

PART II.
Rajpoots,
1800—1808.

without doubt the Lacedemonians did not fail to make ample returns, for they were a severe and revengeful people, and offered the like victims to Mars. Their festival of the Deamastigosis is well known, when the Spartan boys were whipped in the sight of their parents with such severity before the altar of Diana Orthia that they often expired under the torture. Phylarchus affirms, as he is quoted by Porphyry, that of old every Grecian state made it a rule, before they marched towards an enemy, to solicit a blessing on their undertakings by the sacrifice of human victims.

The Romans were accustomed to the like sacrifices. They both devoted themselves to the infernal gods, and constrained others to submit to the same horrid doom. Hence we read in Titus Livius that in the consulate of Omilius Paulus and Terentius Varro, two Gauls, a man and woman, and two in like manner of Greece, were buried alive at Rome, in the ox-market, where was a place under ground walled round to receive them, which had before been made use of for such cruel purposes. He says it was a sacrifice not properly Roman, that is, not originally of Roman institution, yet it was frequently practised there, and that too by public authority. Plutarch makes mention of a like instance a few years before in the consulship of Flaminius and Furius. There is reason to think that all the principal captives who graced the triumphs of the Romans were at the close of that cruel pageantry put to death at the altar of Jupiter Capitolinus. Caius Marius offered up his own daughter for a victim to the Dii Aversunce, to procure success in a battle against the Cimbri, as we are informed by Dorotheus, quoted by Clemens; it is likewise attested by Plutarch, who says that her name was Calpurnia. Marius was a man of a sour and bloody disposition, and had probably heard of such sacrifices being offered in the enemy's camp, amongst whom they were very common. Or he might have beheld them exhibited at a distance, and therefore murdered what was nearest, and should have been dearest, to him, to counteract their fearful spells, and to outdo them in their wicked machinery. Cicero, making mention of this custom being common in Gaul, adds that it prevailed among that people even at the time when he was speaking; from whence we may be led to infer that it was then discontinued among the Romans; and we are told by Pliny, that it had then and not very long been discouraged. For there was a law enacted, when Lentulus and Crassus were consuls, so late as the six hundred and fifty-seventh year of Rome, that there should be no more human sacrifices; for till that time those horrid rites had been celebrated in open day, without any mask or control, which, had we not the best evidence for the fact, would appear scarcely credible. And, however discontinued they may have been for a time, we find that they were again renewed, though they became not so public, nor so general. For not very long after this it is reported of Augustus Cæsar, when Persia surrendered in the time of the second triumvirate, that besides multitudes executed in a military manner, he offered up upon the Ides of March three hundred chosen persons, both of the equestrian and senatorian order, at an altar dedicated to the manes of his uncle Julius. Even at Rome itself this custom was revived; and Porphyry assures us that in his time a man was every year sacrificed at the shrine of Jupiter Latiaris. Heliogabalus offered the like victims to the Syrian deity, which he introduced among the Romans. The same is said of Aurelian.

The Gauls and the Germans were so devoted to this shocking custom that no business of any moment was transacted among them without being prefaced by the blood of men. They were offered up to various gods, but particularly to Hesus, Taranis, and Shautates. These deities are mentioned by Lucan, where he enumerates the various nations who followed the fortunes of Cæsar.

The altars of these gods were far removed from the common resort of men, being generally situated in the depth of woods, that the gloom might add to the horror of the operation, and give a reverence to the place and proceeding. The persons devoted were led thither by the Druids, who presided at the solemnity, and performed the cruel offices of the sacrifice. Tacitus takes notice of the cruelty of the Hermunduri in a war with the Catti, wherein they had greatly the advantage, at the close of which they made one general sacrifice of all that were taken in battle.

The poor remains of the Legions under Varrus suffered in some degree the same fate.

There were many places destined for this purpose all over Gaul and Germany, but especially in the mighty woods of Arduenna, and the greater Hercinian forest, a wild that extended above thirty days journey in length. The places set apart for this solemnity were held in the utmost reverence, and only approached at particular

seasons.

PART II.
Rajpoots,
1800—1808.

seasons. Lucan mentions a grove of this sort near Masselea, which even the Roman soldiers were afraid to violate, though commanded by Cæsar. It was one of those set apart for the sacrifices of the country.

Claudian compliments Stillico, that among other advantages accruing to the Roman armies through his conduct they could now venture into the awful forest of Hercinia, and follow the chase in those so much dreaded woods, and otherwise make use of them.

These practices prevailed among all the people of the North, of whatever denomination. The Massageta, the Scythians, the Getes, the Sarmatians, all the various nations upon the Baltic, particularly the Suevi and Scandinavians, held it as a fixed principle that their happiness and security could not be obtained but at the expense of the lives of others. Their chief gods were Thor and Woden, who they thought they could never sufficiently glut with blood. They had many very celebrated places of worship, especially in the island of Rugen, near the mouth of the Oder, and in Zeeland. Some too, very famous among the Sumnones and Nahanyalli. But the most reverenced of all, and the most frequented, was at Upsal, where there was every year a grand celebrity, which continued for nine days. During this term they sacrificed animals of all sorts, but the most acceptable victims, and the most numerous were men.

Of these sacrifices none were esteemed so auspicious and salutary as a sacrifice of the prince of the country. When the lot fell for the king to die it was received with universal acclamations and every expression of joy, as it once happened in the time of a famine, when they cast lots, and it fell to the king Domalder to be the people's victim, and he was accordingly put to death. Olaus Triliger, another prince, was burnt alive to Woden. They did not spare their own children. Harold, the son of Gunild, the first of that name, slew two of his children to obtain a storm of wind. "He did not let," says Verstegan, "to sacrifice two of his sons unto these idols, to the end he might obtain of them such a tempest at sea as should break and disperse the shipping of Harold king of Denmark." Saxo Grammaticus mentions a like fact; he calls the king Haquin, and speaks of the persons put to death as two very hopeful young princes.

Another king slew nine sons in order to prolong his own life, in hopes, I suppose, that what they were abridged of would, in great measure, be added to himself; such instances, however, occur not often; but the common victims were without end. Adam Bremensis, speaking of the awful grove of Upsal, where these horrid rites were celebrated, says, that there was not a single tree but what was reverenced, as if it were gifted with some portion of divinity. And all this because they were stained with gore, and foul with human putrefaction.

The same is observed by Scheffer, in his account of this place.

The manner in which the victims were slaughtered was diverse in different places. Some of the Gaulish nations chined them with the stroke of an axe. The Celts placed the man who was to be offered for a sacrifice upon a block or an altar, with his breast upwards, and with a sword struck him forcibly across the sternum; then tumbling him to the ground, from his agonies and convulsions, as well as from the effusion of blood, they formed a judgment of future events. The Cimbri ripped open the bowels, and from them they pretended to divine. In Norway they beat mens brains out with an ox-yoke. The same operation was performed in Iceland, by dashing them against an altar of stone. In many places they transfixed them with arrows. After they were dead they suspended them upon the trees, and left them to putrify. One of the writers above quoted mentions that in his time seventy carcases of this sort were found in a wood of the Suevi. Dithmar, of Mursburgh, an author of nearly the same age, speaks of a place called Sedu, in Zeeland, where there were every year ninety and nine persons sacrificed to the god Swantowite. During these bloody festivals a general joy prevailed, and banquets were most royally served. They fed, they caroused, and gave a loose to indulgence, which at other times was not permitted.

They imagined that there was something mysterious in the number nine, for which reason these feasts were in some places celebrated every ninth year, in others every ninth month, and continued for nine days; when all was ended they washed the image of the deity in a pool, on account, I suppose, of its being stained with blood, and then dismissed the assembly. Their servants were numerous, who attended during the term of their feasting, and partook of the banquet. At the close of all they were smothered in the same pool, or otherwise made away with.

On which Tacitus remarks, how great an awe this circumstance must necessarily infuse into those who were not admitted to these mysteries.

These accounts are handed down from a variety of authors, in different ages. Many of whom were natives of the countries which they describe, and to which they seem strongly attached. They would not, therefore, have brought so foul an imputation on the part of the world in favour of which they were each writing; nor could there be that concurrence of testimony were not the history in general true.

The like custom prevailed to a great degree at Mexico, and even under the mild government of the Peruvians; and in most parts of America. In Africa it is still kept up, where in the inland parts they sacrifice some of the captives taken in war to their fetiches, in order to secure their favour. Snelgrave was in the king of Dahoomi's camp after his inroad into the countries of Ardra and Whidaw, and says, that he was a witness to the cruelty of this prince, whom he saw sacrifice multitudes to the deity of his nation.

The sacrifices of which I have been treating, if we except some few instances, consisted of persons doomed by the chance of war, or assigned by lot to be offered. But among the nations of Canaan, of whom I first spoke, the victims were peculiarly chosen. Their own children, and whatever was nearest and dearest to them, were deemed the most worthy offering to their god.

The Carthagenians, who were a colony from Tyre, carried with them the religion of their mother country, and instituted the same worship in the parts where they settled.

It consisted in the adoration of several deities, but particularly of Kronus; to whom they offered human sacrifices, and especially the blood of children. If the parents were not at hand to make an immediate offer, the magistrates did not fail to make choice of what was most fair and promising, that the god might not be defrauded of his dues. Upon a check being received in Sicily, and some other alarming circumstances happening, Hamilcar, without any hesitation, laid hold of a boy and offered him on the spot to Kronus, and at the same time drowned a number of priests to appease the deity of the sea. The Carthagenians, another time, upon a great defeat of their army by Agathocles, imputed the miscarriage to the anger of this god, whose services had been neglected. Touched with this, and seeing the enemy at their gates, they seized at once two hundred children of the prime nobility, and offered them in public for a sacrifice. Three hundred more persons, who were somehow obnoxious, yielded themselves voluntarily, and were put to death with the others. The neglect of which they accused themselves consisted in sacrificing children purchased of parents among the poorer sort, who reared them for that purpose, and not selecting the most promising and the most honourable, as had been the custom of old. In short, there were particular children brought up for the altar, as sheep are fattened for the shambles; and they were brought and butchered in the same manner; but this indiscriminate way of proceeding was thought to have given offence. It is remarkable that the Egyptians looked out for the most specious and handsome person to be sacrificed. The Albanians pitched upon the best man of the community, and made him pay for the wickedness of the rest. The Carthagenians chose what they thought the most excellent, and at the same time most dear to them, which made the lot fall heavy upon their children. This is taken notice of by Silius Italius in his fourth book.

Kronus, to whom these sacrifices were exhibited, was an oriental deity, the god of light and fire; and therefore always worshipped with some reference to that element. The Carthagenians, as I have observed, first introduced him into Africa: he was the same as the Orus of the Egyptians, and the Alorus of the eastern nations. That the name given him originally by the Greeks was Koranus is manifest from a place in Crete which is sacred to him, and is mentioned by the name Coronis. It is said that both the chief city and the adjacent country were thus denominated, and that these sacrifices were there offered which we know were peculiar to Kronus.

If this place, as consecrated to him, (as is apparent by these offerings) was called Koronis, it is plain that his name must have been rendered by the Greek, Koronus, and both are a transposition for "Kon-Orus," or "Chon-Orus," the lord Orus.

He was universally adored in Cyprus, but particularly in this part, which Porphyry supposes to have been Salamis. This is evident from Diodorus Siculus, who mentions a city Auranie here. He makes it, indeed, distinct from Salamis, but places it hard by, between that city and Carpasia, where the river Chour (the Aucaur of the Phenicians, and the Courium of the Greeks,) runs at this day. The Greeks thought Kronus was the same, but it was an oriental name, and the etymology was to be looked for among the people of those parts.

The Greeks, we find, called the deity to whom these offerings were made Agraulos, and feigned that she was a woman, and the daughter of Cecrops. But how came Cecrops to have any connexion with Cyprus? Agraulos is a corruption and transposition of the original name, which should have been rendered *, but has, like many other oriental titles and names, been strangely sophisticated, and is here changed to Agraulos. It was in reality the god of light, the Orus and Alorus of whom I have said so much, who was always worshipped with fire. This deity was the Moloch of the Tyrians and Canaanites, and the Melech of the east; that is, the great and principal god, the god of light, of whom fire was esteemed a symbol; and at whose shrine, instead of viler victims, they offered the blood of men.

Such was the Kronus of the Greeks, and the Moloch of the Phenicians, and nothing can appear more shocking than the sacrifices of the Tyrians and Carthaginians which they performed to the idol. In all emergencies of state, and times of general calamity, they devoted that which was most necessary and valuable to them for an offering to the gods, and particularly to Moloch. But besides these undetermined times of bloodshed they had particular and prescribed seasons every year, when children were chosen out of the most noble and reputable families, as I have before mentioned. If a person had an only child, it was the more liable to be put to death, as being esteemed more acceptable to the deity, and more efficacious of the general good. Those who were sacrificed to Kronus were thrown into the arms of a molten idol which stood in the midst of a large fire, and was red with heat. The arms of it were stretched out with the hands turned upwards as it were to receive them, yet sloping downwards, so that they dropt from thence into a glowing furnace below. To other gods they were otherwise slaughtered, and as it is implied by the very hands of their parents, what can be more horrid to the imagination than to suppose a father leading the dearest of all his sons to such an infernal shrine? Or mother, the most engaging and affectionate of her daughters? just rising to maturity, to be slaughtered at the altar of Ashtaroth, or Baal. Justin describes this unnatural custom very pathetically. Such was their blind zeal, that this was continually practised, and so much of natural affection still left unextinguished as to render the scene ten times more shocking from the tenderness which they seemed to express. They embraced their children with great fondness, and encouraged them in the gentlest terms that they might not be appalled at the sight of the hellish process; begging of them to submit with cheerfulness to this fearful operation. If there was any appearance of a tear rising, or a cry unawares escaping, the mother smothered it with her kisses, that there might not be any show of backwardness or constraint, but the whole be the free-will offering.

These cruel endearments over, they stabbed them to the heart, or otherwise opened the sluices of life, and with the blood, warm as it ran, besmeared the altar and the grim visage of the idol. These were the customs which the Israelites learned of the people of Canaan, and for which they are upbraided by the Psalmist: "They did not destroy the nations concerning whom the Lord commanded them, but were mingled among the heathen, and learned their works; yea, they sacrificed their sons and their daughters unto devils, and shed innocent blood, even the blood of their sons and of their daughters, whom they sacrificed unto the idols of Canaan, and the land was polluted with blood: thus were they defiled with their own works, and went a whoring with their own inventions."

These cruel rites, practised in so many nations, made Plutarch debate with himself, "Whether it would not have been better for the Galato, or for the Scythians, to have had no tradition or conception of any superior beings, than to have formed to themselves notions of gods who delighted in the blood of men;—of gods who esteemed human victims the most acceptable and perfect sacrifice? Would it not," says he, "have been more eligible for the Carthaginians to have had the atheist Critias, or Diagoras, their lawgiver at the commencement of their polity, and to have been taught that there was neither God nor demon, than to have sacrificed in the manner they were wont to the god which they adored? Wherein they acted not as the person did whom Empedocles describes in some poetry, where he exposes this unnatural custom. The father, with many idle vows, offers up unwillingly his son for a sacrifice, but the youth was so changed in feature and figure that his father did not know him. These people used knowingly and wilfully to go through this

---

* Original.

PART II. Rajpoots, 1800—1808.

bloody work, and slaughter their own offspring. Even they who were childless would not be exempted from this cursed tribute, but purchased children at a price, of the poorer sort, and put them to death with as little remorse as one would kill a lamb or a chicken. The mother who sacrificed her child stood by without any seeming sense of what she was losing, and without uttering a groan. If a sigh did by chance escape she lost all the honour which she proposed to herself in the offering, and the child was notwithstanding slain. All the time of this celebrity, while the children were murdering, there was a noise of clarions and tambors sounding before the idol, that the cries and shrieks of the victims might not be heard." "Tell me, now," said Plutarch, "if the monsters of old, the Typhons and the Giants, were to expel the gods, and to rule the world in their stead, could they require a service more horrid than these infernal rites and sacrifices."

(True copy.) (signed) *J. R. Carnac*, Lieu^t Ass^t.

N. B.—The accompanying extract from Sale's Koran contains further evidence of the practice of Infanticide, assimilating more than in any other case with the custom of the Jahrejas of Kutch and Kattywar.

This barbarity seems confined to the female infants, as is the case with the Jahreja Rajputes, and it is remarkable that the difficulty of providing for them in marriage, or the apprehension of their conduct disgracing their parents, is assigned in both cases as the cause of this inhuman custom.

The existence of the custom of Infanticide has now been traced to almost every nation, scarcely any appearing to have been exempt from the reproach; and one benefit which has resulted to mankind from the success of Mahomed's imposture, has been the relinquishment of so inhuman a practice amongst his numerous followers.

Baroda,
15th March, 1808. (signed) *A. Walker*, Res^t

Extract from SALE'S KORAN, Preliminary discourse, Page 174, Edition 1801: by T. Maiden, Sherborne Lane.

THE law of Mahomed also put a stop to the inhuman custom which had been long practised by Pagan Arabs of burying their daughters alive, lest they should be reduced to poverty, of providing for them, or else to avoid the displeasure and disgrace which would follow if they should happen to be made captives, or to become scandalous by their behaviour; the birth of a daughter being for these reasons reckoned a great misfortune, and the death of one as great a happiness. The manner of their doing this is differently related; some say, that when an Arab had a daughter born, if he intended to bring her up he sent her clothed in a garment of wool or hair, to keep camels or sheep in the desert; but, if he designed to put her to death he let her live till she became six years old, and then said to her mother, Perfume, her and adorn her, that I may carry her to her mothers; which being done the father led her to a well, or a pit dug for that purpose, and having bid her to look down into it, pushed her in headlong as he stood behind; and then filling up the pit, levelled it with the rest of the ground; but others say, that when a woman was ready to fall in labour, they dug a pit, on the brink whereof she was to be delivered; and if the child happened to be a daughter they threw it into the pit, but if a son, they saved it alive. This custom, though not observed by all the Arabs in general, was yet very common among several of their tribes; and particularly those of Koreith and Kendeh; the former using to bury their daughters alive in Mount Abu Dalama, near Mecca. In the time of ignorance, while they used this method to get rid of their daughters, Sasaa, grandfather to the celebrated poet Al Farazdak, frequently redeemed female children from death, giving for every one two she camels big with young, and a he-camel; and hereto Al Farazdak alluded when vaunting himself before one of the Kalifs of the family of Meya, he said, I am the son of the giver of life to the dead; for which expression being censured, he excused himself by alleging the following words of the Koran, "He who saved a soul alive shall be as if he had saved the lives of all mankind." The Arabs in the murdering of their children were far from being singular, the practice of exposing infants and putting them to death being so common among the ancients, that it is remarked as a thing very extraordinary in the Egyptians that they brought up all their children; and by the laws of Lycurgus no child was allowed to be brought up without the approbation of public officers. At this day, it is said, in China the poorer sort of people frequently put their children, the females especially, to death with impunity.

This wicked practice is condemned by the Koran in several passages, one of which, as some commentators judge, may also condemn another custom of the Arabians, altogether as wicked, and as common among other nations of old, viz. the sacrificing of their children to their idols, as was frequently done, in particular in satisfaction of a vow they used to make, that if they had a certain number of sons born they would offer one of them in sacrifice.

List of Packet accompanying Letter to the Honourable Jonathan Duncan, Governor, &c.; dated 15th March 1808.

N° 1.—Copy Extract of a Letter from Major A. Walker to Sunderjee Sewjee; dated Camp at Gootoo, 13th September 1807.

N° 2.—Copy Extract of a Letter from Sunderjee Sewjee to Major Walker; dated 20th September 1807.

N° 3.—Extract of a Letter from Major A. Walker to Sunderjee Sewjee; dated 20th September 1807.

N° 4.—Translation of a Letter from Sunderjee Sewjee to Major A. Walker; dated 20th September 1807.

N° 5.—Translated Extract of a Letter from Jahreja Jehajee, of Moorbee, to Major A. Walker; dated 4th Bhaderpud Vud (21st September) 1807.

N° 6.—Extract of a Letter from Sunderjee Sewjee to Major A. Walker; dated 22d September 1807.

N° 7.—Extract of a Letter from Sunderjee Sewjee to Major A. Walker; dated 23d September 1807.

N° 8.—Extract of a Letter from Major A. Walker to Sunderjee Sewjee; dated 23d September 1807.

N° 9.—Extract of a Letter to the Rajah of Moorbee; dated 23d September 1807.

N° 10.—Copy of a Letter from Major Walker to the Mother of Jahreja Jehajee, of Moorbee; dated 23d September 1807.

N° 11.—Extract of a Letter from Sunderjee Sewjee to Major A. Walker; dated 24th September 1807.

N° 12.—Copy of a Letter from Major A. Walker to Sunderjee Sewjee; dated 24th September 1807.

N° 13.—Translation of a Letter from Jahreja Jehajee, of Moorbee, to Major Walker; dated 8th Bhaderpud Vud (24th September) 1807.

N° 14.—Extract of a Letter from Major Walker to Sunderjee Sewjee; dated 25th September 1807.

N° 15.—Extract of a Letter from Major A. Walker to Sunderjee Sewjee; dated 25th September 1807.

N° 16.—Extract of a Letter from Sunderjee Sewjee to Major A. Walker; dated 26th September 1807.

N° 17.—Extract of a Letter from Jahreja Jehajee; dated Assoo Sood 3d (21st October) 1807.

N° 18.—Correspondence of Major Walker with Futteh Mahomed and Rao Sahib, Rajah of Kutch.

N° 19.—Communication from Jahreja Dadajee, Chief of Rajcote.

N° 20.—List of Jahrejas, including Byaud, not especially mentioned, who have renounced Infanticide.

(signed) *A. Walker.*

PART II.
Rajpoots,
1800—1808.

(1.)—Copy Extract of a Letter from Major A. Walker, to Sunderjee Sewjee, dated camp at Gootoo, 13th September 1807.

ANOTHER indispensable article is the relinquishment of the custom of female Infanticide.

This is a concession to the Company: It is necessary to ensure their regard, and will render the character of Jehajee illustrious for abolishing a practice which all civilized people so strongly condemn.

(A true Copy)

(signed) *S. A. Greenwood*, Ass^t.

(2.)—Copy Extract of a Letter from Sunderjee Sewjee, to Major Walker, dated 20th September 1807.

THE state of affairs here is, that having had an interview with Jehajee Thakoor, some time elapsed in making him acquainted with my message: by his answer it appeared that the relinquishment of Infanticide will not compose an article of the File Zaminee, but he will give a separate writing to this effect into my hand: "provided you will cause the village which Babajee has taken to be restored, when you leave the country to go to Baroda; then my consent to the relinquishment of Infanticide is given."

(A true Copy)

(signed) *S. A. Greenwood*, Ass^t.

(3.)—Extract of a Letter from Major A. Walker, to Sunderjee Sewjee, dated 20th September 1807.

IN respect to the Thakoor Jehajee, I am very sorry to observe that the full assurances which I gave you and Bhangee Mehta have been lost. I did not expect the objections which have been made; and all the trouble I have taken may now prove fruitless.

The relinquishment of the custom of Infanticide must be unconditional: it must be clear, and from the heart, and without any reservation. The advantages to the Rajah would be many, besides those arising from humanity, from religion, and from the natural affection of parents to children. It will ensure him the friendship and favour of the Company's Government.

The Thakoor must not expect the friendship of the Company if he continues this practice; and nothing will be ceded on this point to induce him. It must be relinquished as the only terms on which the Honourable Company's favour and friendship can be obtained; but there is no objection to the engagement to relinquish it being expressed in a separate paper.

Since writing the above I have received your second note, but its contents cause no alteration in the sentiments I have above written, further than you may tell the Rajah that I do not know how the Honourable Company can become Bhanderry for any civil obligation of men who appear to disregard the most sacred of all obligations, that of protection to offspring.

(A true Copy)

(signed) *S. A. Greenwood*, Asst.

(4.)—Translation of a Letter from Sunderjee Sewjee, to Major A. Walker; dated 20th September 1807.

A. C.

I RELATED this morning the conversation I had yesterday with the Thakoor Jehajee, with which you will have become acquainted. At present, the mother of the Thakoor, with the brethren of the Rajah, having assembled, they represented, "that the relinquishment of female Infanticide will be agreed to by us according to the conditions to which Rao Sahib Kutch, and Jam Sahib, may agree to; before then, nothing will be concluded by us.

"If Major Walker should cause the village taken by Babajee to be restored, it is well; otherwise he is a free agent: but according to the adjustment which Rao and Jam may make not to commit Infanticide, we will agree."

(A true Translate)
(signed) *S. A. Greenwood*, Ass^t.

(5.)—Translated Extract of a Letter from Jahreja Jehajee of Moorbee to Major A. Walker; dated 4th Bhaderpud Vud, 21st September 1807.

YOU have often urged me to adopt some course to preserve my daughters, and I am convinced you look upon me as your own when you desire me to do this: but the Jahrejas have from ancient times killed their daughters, and I cannot set a new example first.

I am much annoyed by Mallia: if, therefore, you reduce Mallia and keep it subject to the Company, or give it to me, as well as restore Karralla,—if you should favour me so much, my present distress will be removed, and I will meet your wishes in preserving my daughters: this is my petition.

(True Copy of Extract)
(signed) *F. D. Ballantine*, Trans^r.

---

(6).—Extract of a Letter from Sunderjee Sewjee, to Major A. Walker; dated 22d September 1807.

HAVING arrived at Moorbee, and had an interview with the Rajah until I saw that no clear answer could be obtained without threats, notwithstanding that, according to the best of my ability, I used both soothing and warm language, yet I grasped the wine, and nothing but dregs remained in the cup. The arrangement respecting the children, in particular, appeared hopeless.

(A true Translate)
(signed) *Sam. A. Greenwood*, Ass^t.

(7.)—Extract of a Letter from Sunderjee Sewjee, to Major A. Walker; dated 23d September 1807.

I YESTERDAY wrote the particulars of my interview with the Thakoor, and his refusal to relinquish Infanticide.

Affairs are thus: that what I yesterday wrote is still the language of to-day, therefore favour me with an answer to yesterday's and the present communication, for to wait longer without effect would be discreditable; but I am subject to orders.

(A true Copy)
(signed) *S. A. Greenwood*, Ass^t.

(8.)—Extract from a Letter from Major A. Walker, to Sunderjee Sewjee; dated 23d September 1807.

Your notes of yesterday and to-day are both received and understood. I delayed to answer the first in expectation of the second. I have now the honour of sending you two letters, one to the Rajah, and one to the mother; that to the Rajah being delivered first; observe what effect it has: and then, if you think it will prove of any use, deliver the other to his mother.

If this should induce any alteration in the Rajah's mind you will of course make the most of it; but if it does not we can only regret that our efforts should be unattended with the effect we wished.

It will, however, be still proper to keep open the gate, so that this business may be hereafter effected; and you may therefore suggest to the Rajah the propriety of answering my letter in terms of friendship with this view.

(A true Copy.)
(signed) *S. A. Greenwood*, Ass^t.

(9.)—Extract of a Letter to the Rajah of Moorbee; dated 23d September 1807.

I have learnt with much dissatisfaction, from the respectable Sunderjee Sewjee, that notwithstanding the assurances which I have given him and Bhangee Mehta, that you still continue to persist in refusing to contract an engagement to relinquish female Infanticide.

If the custom is a bad one it cannot require any person's example to leave it off: if it is a good one, no person's example ought to be sufficient to cause its abolishment.

But it is universally allowed to be unnatural, and against your religion; and the objections you urge against it are unbecoming your rank and situation. The friendship and favour of the Company can only be procured by leaving off a practice so contrary to the usage of mankind.

I am well disposed to serve you, but my support to you must depend on yours to the cause of humanity.

On this subject, and ~~on the adjustment of your future~~ jumma, hear the advice of Sunderjee, to whom I have communicated my sentiments.

(A true Copy.) (signed) *S. A. Greenwood*, Assis^t.

10.—Copy of a Letter from Major Walker to the Mother of Jahreja Jebajee of Moorbee; dated 23d September 1807.

A. C.

The army being in the neighbourhood of Moorbee I have unavoidably learnt a number of circumstances, and I have heard of your wisdom and prudence with great pleasure.

The Sircar is very anxious that the very cruel custom of female Infanticide should be abolished by your advice and assistance. Do you, therefore, by every means in your power, endeavour to persuade your son to desist from this practice. I hope you will labour in this affair, for it is very unnatural for a mother to allow her own offspring to be put to death. Your father and your mother have nursed and brought you up; wherefore then should it hurt you to rear up your daughters? Should you not do as I request what answer can you return to your God?

Should you fully consider this business you will perfectly observe the impropriety of it.

Should other castes do as the Jahrejas how could the Jahreja race exist?

What more can I write?

(signed) *A. Walker*, Res^t.

(11.)—Extract of a Letter from Sunderjee Sewjee, to Major A. Walker; dated 24th September 1807.

Your kind letter with its two enclosures, with which you favoured me, arrived in proper time: they were both delivered. After four hours had elapsed the Thakoor came to my quarters and appeared very submissive; but although I pushed the point as far as possible he never consented to abandon the practice of Infanticide, but he said thus much, "that whatever Jam may conclude in this business, it has also my consent. Before that, I cannot engage for anything: therefore, let this subject be dropt; but the Company are powerful."

True Extract of the Translate,

(signed) *S. A. Greenwood*, Assisᵗ.

(12.)—Copy of a Letter from Major A. Walker to Sunderjee Sewjee; dated 24th September 1807.

I have received your letter, and I understand its contents; but to day being Wittipad, which is an unlucky day, I therefore am unable to write a particular answer until to-morrow; I beg you to wait. Still I request you will not slacken your endeavour until you have accomplished the point of obtaining a renunciation of Infanticide.

This object is for the good of the Thakoor Jehajee, and your reputation will be increased in the opinion of Mr. Duncan by gaining it.

(signed) *A. Walker*, Resᵗ.

(13.)—Translation of a Letter from Jahreja Jehajee, of Moorbee, to Major Walker; dated 8th Bhadurpud Vud, 24th September 1807.

A. C.

Your letter, Sir, I have received, in which is written, to rear up and protect our daughters, but the circumstances of this case are, that from time immemorial the Jahrejas have never reared their daughters, nor can it now be the case: this is my petition.

My situation and circumstances are all known to you, Sir, and I now with folded arms make my petition; that, if Sir, you will continue to observe the same course of favour towards me as you have hitherto done, I may then hope to secure my ends, and to meet the demands upon me. I have agreed to a sum of Jummabundy even beyond my actual means, and let your protection so extend that I may be able still to walk with rectitude, and be able to pay my dues.

From the Mother of Jehajee to Major Walker.

Your letter has been received, and its contents understood. You have called upon Coer Jehajee to rear up his daughters; but, it is so, that, for many years past none of the Jahreja tribes have ever reared their female offspring. Further particulars of this concern you will learn from Coer Jehajee's writing, and you must excuse him on this score, as Coer Jehajee has attached himself to you. Let his Jummabundy be so settled that his credit will be preserved.

True Copy of Translation.

(signed) *F. D. Ballantine*, Transʳ.

PART II.
Rajpoots,
1800—1808.

(14.)—Extract of a Letter from Major Walker to Soonderjee Sewjee; dated 25th September 1807.

A. C.

SHOULD anything wear a favourable appearance, I request you will let me know: the former, and strong aversion to renounce Infanticide appears now to be less. Do you on this account keep Thakoor Jehajee assured of my friendship.

(A true Extract.)

(signed) *S. A. Greenwood*, Assis^t.

(15.)—Extract of a Letter from Major A. Walker to Soonderjee Sewjee; dated 25th September, 1807.

I HAVE now received your note, and understood its contents; but I request you will again take the trouble to explain to the Rajah Jehajee my concern at the difficulty which appears to exist to persuade him, and the obduracy with which he resists every argument to relinquish the practice of female Infanticide.

What can induce the Honourable Company to make such efforts? and what can induce me to request from you the utmost exertion of your abilities in this respect, except the cause of humanity, and the desire of the Honourable Company to put a stop to a practice, which will redound to the advantage and credit of the Rajah Jehajee?

(True Extract.) (signed) *S. A. Greenwood*, Assis^t,

(16.)—Extract of a Letter from Sunderjee Sewjee to Major A. Walker; dated 26th September 1807.

YOUR letters of the third and second days past have been received; the second at about eight o'clock at night, when the Thakoor was with me, who saw the Peon. Before I received this letter I had been engaged in strong conversation with the Thakoor, but without effect. The difficulty still remains, and this practice will not be relinquished by the Thakoor Jehajee. "Whatever Jam agrees to I will;" and which I before reported, the same is still dwelt upon. What was communicated by you, saying, that should the Thakoor agree to relinquish the practice of Infanticide, it would be a source of advantage to him, and the cause of increase of reputation to me, in the opinion of Mr. Duncan; but, Sir, your servant has come to Moorbee solely on the Honourable Company's account, and in whatever he may attempt, he is not that person who will not exert his best ability. Other business has arrived at a point of conclusion; but to the Infanticide Relinquishment consent is not procurable, and my further detention here is unnecessary; but, as you say, that owing to the rain the Dewanjee had not arrived, but that I should receive an answer to day, I accordingly await its arrival; pray favour me with it before the close of the day.

If the relinquishment of Infanticide is a question assuredly to be effected by the Company, its accomplishment must be effected by force, which would be but advisable and proper; but, in future, whatever is your pleasure, I am your servant, and your orders, whatever they may be, will be conformed to.

(True Extract of Translate.)

(signed) *S. A. Greenwood*, Ass^t.

(17.)—Translate of a Letter from Jahreja Jehajee, Assoe Sood 3d, 21st October.

A. C.

FROM motives of friendship the Honourable Company are urging me to preserve my daughters, to this I agree, if the Nowanuggur and Gondul chiefs agree; if they do not preserve theirs, I will not do it.

(True Copy of Translate.)

(signed) *F. D. Ballantine*, Translator,

PART II.
Rajpoots,
1800—1808.

(18.)—Copy of a Letter from Major Walker to Futteh Mahomed, dated 28th September 1807.

A. C.

It is now a long time since I had the pleasure of hearing from you; it is proper that in contradiction to the past you should favour me with friendly letters.

The object of my present letter to you is to disclose a plan which the Honourable Company are very desirous of seeing adopted, and which would redound to your credit and honour.

It is known to you that the tribe of Jahreja Rajputes, who are very numerous in the country of Kutch, do not rear their female offspring; but under the blind influence of prejudice suffer their female infants to be destroyed in their childhood.

This practice is no less contrary to the laws of the Gospel than it is to the precepts of the Koran; and it is also equally and fully prohibited in the Shasters and Ordinances of the Hindoos, which the Jahrejas ought to respect.

Then you will observe, that no motive of ambition, interest or advantage, can prompt the Honourable Company to wish to see a practice so contrary to every law abolished.

Their desire in this respect can arise solely from humanity, and a wish to inspire the tribe of Jahrejas with that affection for their female offspring which parents ought to possess.

But what argument can be necessary to prove to you the advantage and credit which will attend your co-operating in this useful and humane attempt, to which you are invited by every consideration of humanity and religion.

Your effectual aid and assistance in this respect will secure the respect and consideration of all persons, and I feel a confidence that you will exert your best endeavours.

Accordingly, as his highness Rao Sahib is the senior of all the tribes of Jahrejas, it is highly probable that all the tribes of Jahrejas will not hesitate to follow an example that is set them by the head of the family, especially as they do not appear averse to it in other respects, and some of them have laudably broke through the custom.

To make this custom, however, universal, it requires that it should be formally renounced, and that the separate independent heads of the Jahreja family should give some public document of its abolition.

I have therefore written upon this occasion a letter to his highness Rao Sahib, and trust that his answer may be in conformity to the above, and be productive of the very desirable result of terminating the practice of Infanticide.

Copy of a Letter from Major Walker to Rao Sahib, Rajah of Kutch, dated 3d October 1807

A. C.

In these parts it is represented that all is well; gratify me by writing me accounts of your welfare, and in the terms of friendship that subsist between you and the Honourable Company.

Just now, whatever is most profitable to your interest, and to the welfare of your family and race, in the opinion of the Honourable Company, has been written to Futteh Mahomed, and that respectable and worthy person will disclose the whole to you for your consideration. I am satisfied that you will reply conformably to the wishes of the Honourable Company's Government, and friendship will from this cause be much increased.

(True Copies.)

(signed) *S. A. Greenwood*, Ass^t.

PART II. Rajpoots, 1800—1808.

Translate of a Letter from Futteh Mahomed, Jemadar, to Major Walker, without date, received 21st October 1807.

A. C.

AFTER recapitulating the contents of Major Walker's letter to him, which he states having received at a fortunate moment, and that it afforded him much pleasure, it proceeds. . . . . It is notorious, that since the Aoutar of Sreekrishen, these people, (the Jahrejas) who are descended from the Jadoons, have during a period of four thousand nine hundred years been in the habit of killing their daughters, and it has no doubt reached your knowledge that all of God's creation, even the mighty emperors of Hindostan, Shah Jehan, Aurungzebe, and Ackbar, who have successively reigned in Hindostan; those of Khorastan and Iran, and the Rajahs of the four quarters of Hindostan, besides all others, the conductors of the affairs of this world, who have existed from time to time, have always preserved friendship with this court, and never acted in this respect (female Infanticide) unreasonably.

Even the king of the world, who is protected by God—the king of Rum, descended from a long line of illustrious ancestors, who have reigned over that country from the earliest times, and in whose dominions is situated the inestimable and glorious Mecca, never once thought of putting a stop to the custom which prevails among the Jahrejas of killing their daughters; but on the contrary has preserved friendship at all times with this Durbar, and merchants possessing lacks of wealth, belonging to his country, reside here; and people of equal wealth of this country are there, but he never once uttered anything on this subject.

But you, who follow the paths of the king, and who are an Ameer of the great Sirkar, the Honourable Company, having written me on this subject, I have derived much uneasiness, for it does not accord with your good character.

You should reflect that though the authority of many kings and rajahs, the king of Rum excepted, has decayed or passed into the hands of others, still the government of this country has remained unmoved from the period of the Aoutar of Krishen till this day; and this country contains so many brothers of one heart, descended from a common parent, as is not to be found in any other quarter, but they have not to this day departed from the habits of female Infanticide; they have, however, approved of two good customs: 1st. In this country neither birds or animals are killed, goats excepted, and but few even eat them: and charitable places for Fackiers, going and coming from Mecca, and Hindoos performing pilgrimages, are so strongly planted that they suffer no annoyance.

This Durbar has always maintained friendship beyond bounds with the Sirkar of the Honourable Company; and notwithstanding this, since you have acted so unreasonably in this respect, I am much distressed.

God is the giver, and God is the taker away: if any one's affairs go to ruin he must attribute his fortune to God. No one has until this day wantonly quarrelled with this Durbar who has not in the end suffered loss. This Durbar wishes no one ill, nor has ever wantonly quarrelled with any one; every thing that may happen is from God. I bow obedient. Do not again address me on this subject.

Extract of a Letter from Major Walker to Futteh Mahomed, dated 9th Jan. 1808.

THE Honourable Company's Government impressed with horror at the inhuman practice of female Infanticide in existence among the Jahreja tribe was induced to take measures to put a stop to it.

The designs of great men are always in accordance with the secret will of the Divinity, and that secret assistance of the Omnipotent, which, praise be to his name, always attends the victorious standard of the army of the Honourable Company, has in this instance, in a short period, crowned the wishes of their Government with success, and extended and confirmed their reputation for humanity.

The fame of the great character which you bear in the country of Kutch for humanity, and your love of justice, has not remained a secret to me. Do you, my friend, put a stop to the custom of Infanticide in Kutch, and you will perpetuate that name by an act which will ever be remembered with delight, and be assured the reward of so good an action will await you in the other world. I am fully satisfied that you will exert your utmost influence to do away this horrid practice, and thereby entitle yourself to the gratitude of your fellow mortals, and the most perfect bliss in the next world, for the Almighty has bestowed on you the power to do this.

I have heard that all the Jahrejas who have become converts to Islamism have renounced this practice; true it is that it is contrary to the dictates of Mahomed and the religion of Jesus Christ, as well as the sayings of the Poorans and Shasters of the Hindoos, indeed it is according to all these the most heinous crime and sin.

I feel a strong desire to write you much at length on this subject, but to the wise a hint is enough.

My friendship requires me to desire you always to write me accounts of your welfare, and of the advancement you may make in the attainment of the object of my present letter.

Extract of a Letter from Futteh Mahomed, Jemadar, to Major Walker, without date. Translated 13th February 1808.

Your other letter is expressive of the grief of the Honourable Company on account of the horrid practice of female Infanticide among the Jahrejas, and stating that you would derive much pleasure from the abolition of this custom, which you have urged on account of the friendship which subsists between this Sirkar and the Company, and supported by several arguments well composed, from the perusal of all which I have derived much pleasure.

The reputation of your Government and of mine are now long established, and this is known to the whole world, and God be praised it will daily increase.

Previous to this I wrote you on the subject of female Infanticide, and from that you must have learned every thing: what can I now say on this subject, for this custom has prevailed for five thousand years, since the incarnation of Kristna, and thus it has been and is now practised. This is not a practice confined to a few that it can be dispensed with. Every one also who wishes to nourish his daughter is at full liberty, and he who wishes to kill them at their birth has full power to do so. In this world none of the kings of the seven countries, occupying the four quarters of the world, or the kings of Arabia and Azim, who have reigned in this world, have ever written on this subject, but on the contrary have always preserved the connections of friendship, and this Government has with these kings and rulers always maintained amity, which I also preserve; and it is not fit with true friends, such as we are constantly on this subject, to create any ground of uneasiness.

It is the decree of heaven, God the merciful, the King of the two worlds be praised! one is pleased with his own faith. On this account, and as the Jahrejas are the relations and brothers of Maha Rao Sahib, and Jam an adherent at his Durbar, it is not proper for me to say any thing on the subject to the Jahrejas, and it would not have effect, nor ever will.

Therefore, this business excepted, I beg you will write me on any other, that I may, from performing it, show to you my regard, from which we will derive mutual advantages; and to say more than this to a person of your wisdom, would be as foolish as to teach knowledge to Lokman*.

(True Copies.)

(signed) *S. A. Greenwood*, Ass^t.

---

* A celebrated Persian physician, famous for his knowledge.

(19.)—Communication from *Jahreja Dadajee*, Chief of Rajcote, who states,

THAT many of the Jahrejas of Kutch preserve their daughters, and that previous to the birth of a child, the father, if he wishes to preserve the child, signifies such a wish, and his will is invariably obeyed: if the mother wishes, and the father is averse to preserve his daughter, it is killed. Exceptions to this take place now and then, when the mother has great influence over the father.

When the daughters are killed, they are almost invariably put to death immediately after their birth.

On the birth of a daughter, the mothers generally never apprize the father, but put it to death at once.

Daughters, when put to death, are always buried in the state in which they were born, without any purification, or being wrapped in any clothes.

Dadajee has a daughter alive. He states, however, that he expressed a wish to preserve it previous to its birth.

Some Jahrejahs preserve their daughters that may be born within the space of six months after the death of a chief: though this is little observed, it is still reckoned proper; but he says the avarice or other passions of the parent makes them disregard this practice.

Dadajee says there is no uniform mode of killing the infants. Sometimes they terminate their short life by opium, sometimes by placing the navel-string on their mouth and suffocating them. Dadajee, on being interrogated as to any other mode, asks, in reply, " what difficulty is there in blasting of a flower?"

Dadajee observes, there is no impropriety in Jahrejas preserving their daughters. Sometimes the mothers, if there are no female attendants, kill their infants themseves; but, in general, women of station never perform this unnatural office.

Dadajee, in allusion to this subject, and as descriptive of the motives for Infanticide, states, that in Kattywar and Hallaur the rubbaries or goatherds allow their male kids to die when there are many of them brought forth; and the charons follow the same practice with their male buffaloes, both being reckoned unproductive in a country where little flesh is consumed, and the only profit that arises from these animals is from their milk.

In regard to the origin of the custom of Infanticide, Jahreja Dadajee related the story of the Rajah and his beautiful daughter; but, although he did not appear to put much confidence in the truth of this story, Dadajee could give no other account of the origin of the practice. He says that his race at one time occupied a country on the other side of Scind, and that being suddenly surrounded with Mahomedans they were necessitated to kill their daughters, not being able to provide them with husbands; and that the custom, which had its origin in a desire to preserve their caste, has been maintained in consequence of its favouring the avaricious motives of some, but in general without any motive at all, further than that of following a custom of the tribe.

Dadajee further states Persia to be the country which tradition assigned the Jahrejas as their residence; and that the word Jam is derived from Jamshed, the name of a famous Persian monarch.

Sunderjee Sewjee states, that all the Jahrejas in Kutch kill their daughters, but he is not acquainted with the particular mode in which they do it. Others have reported that they place the navel-string on their mouth, or give them opium.

He thinks that it is not customary to report the birth and death of a daughter to the father.

The Jahrejas of Kutch marry into all the Rajpute families of Guzerat, of Thur, and Panthur. He states that they never marry their slaves; and that when they keep them as rackelas or mistresses, they allow them a separate house, even though the Jahrejas be not married.

Sunderjee's Moonshee, who is a native of Scind, states, that in this country the custom of female Infanticide has been relinquished by all, except a tribe of Mahomedans named Kulora. This is not a very numerous tribe. The sovereigns of Cutch formerly belonged to it.

(A true Copy.)

(signed) *S. A. Greenwood*, Ass^t.

List of Jahrejas, including Byaud, not specifically mentioned, who have renounced Infanticide.

N°	NAMES.	Talookas of Villages.
1.	Jahreja Hotijee	Kotara Sanganee.
2.	D° - Dossajee and Coer Suttajee	Mallia.
3.	D° - Jeeajee	Morbee.
4.	D° - Rummuljee and Coer Luckajee	Rajcote.
5.	Jam Jussajee	Nowanuggur.
6.	Jahreja Rummuljee by Coer Verajee	Sirdhar.
7.	D° - Dewajee and Coer Nathoojee	Goudul.
8.	D° - Bopul Sing, Hotigee and Sullajee	Dehnol, Kersora and Jallia.
9.	D° - Khengarjee and Seeajee	Hurumteea and Kotaree.
10.	D° - Ramsingee	Amba.
	D° - Kheemajee	Lodeka.
	D° - Dewajee	Pall.
	D° - Moorjee	Gaurydur.
	D° - Dossajee	Kotaria.
	D° - Khanjee	Wuddalee.
	D° - Tezmuljee	Vierwa.
	D° - Khanjee and Bhanjee	Gudka.
	D° - Ray Sing	Shapoor.
	D° - Banjee and Hudoojee	Kangseeallee.
11	D° - Phuljee	Drapa.
	D° - Sallerjuljee	
	D° - Raebjee	
	D° - Jeejee Rasaugee	
	D° - Ramsingjee	
12.	D° - Maynajee and Coer Osajee	Rajpoora; the Byaud of Kotara Sanganee.
13.	D° - Benajee	Barwa.
14.	D° - Samutjee	Mengree.
15.	D° - Phullajee	Seesang.
	D° - Dadajee	
	D° - Soosajee	
	D° - Mukunjee	
16.	D° - Penyee and Wagjee	Dedee Moolee.
17.	D° - Soarajee	Kururee and Veerpoor.
	D° - Kana Mooloo	
	D° - Kana Mota	
18.	D° - Kana Huckajee	Salodur Wawree.
	D° - Kana Rokajee	
	D° - Kana Puchanjee	
	D° - Kana Nuthoojee	
19.	Coer Sattajee	The brother of Jam.
	Rana Sertaumjee and Coer Hallajee Jackwas	Poorbunder

(signed) *F. D. Ballantine,*
Trans^r I^n.

PART II.
Rajpoots,
1800—1808.

MINUTE OF THE GOVERNOR IN COUNCIL.

IN acknowledgment of the letter above recorded from Major Walker, and of its several accompaniments, he is to be advised, in addition to the approbation already expressed under date the 8th of March, on the success of his exertions in putting, (it is hoped) an effectual end to the horrid practice of Infanticide in and throughout the Peninsula of Guzerat, that Government have perused, with the interest arising out of the extraordinary nature and great importance of the subject, the more particular details furnished by his present address, of the probable rise and progress, and the too certain prevalence of this nefarious system amongst the Jarejas; and, in one instance at least, among Jaitwa Rajputes; and whilst we cannot sufficiently commend that solicitude, perseverance and ability, to which is to be ascribed the procuring of the obligations entered into by all the chieftains to abandon it, we are sensible that it must require the vigilant and concurrent attention of both the government of the Guicawar, and of the Honourable Company to ensure, especially during the first years, the faithful adherence of the several parties to the salutary stipulations to which they have thus been brought to subscribe: but we rely on the zeal of the Resident, who will not fail to stimulate the native administration of Baroda, and through it, their officers in Kattywar, to attend to and make periodical reports of the effects of the new system thus happily introduced; which, if allowed to operate, must soon become manifest in the number of female children which every Jahreja house may soon be known to contain; whilst, on the other hand, the want of such indication will constitute proof sufficient of the influence of the old prejudice, and of that disregard to engagements, which, in the present instance, ought not to be treated with much indulgence, but rather punished by a moderate fine, to be always imposed with the privity of the British Government, through the Resident; and the amount of which to be applied to the relief of those among the more indigent classes of the Jahrejas who shall be known to fulfil and adhere to the letter and spirit of their engagements; or otherwise, by the infliction of such other penalty as the local authorities may deem the most impressive, and likely to ensure the attainment of an object so highly salutary and indispensable in all respects, as is the extirpation of the baneful practice of Infanticide from all the districts of Kattywar, with an ultimate view to the same humane object in Kutch.

It is accordingly desired that the Resident will concert with the Guicawar government the best means for obtaining periodical notices of the operation of the obligations; making it also a rule to submit (exclusive of such intermediate reports as may become necessary) one general statement on the last day of each year, how far the amended system has been acted on and observed, what deviations are known or suspected to have been made from its rules, and what measures pursued for their enforcement; the whole to be accompanied with an estimate of the number of lives that may, under the blessing of Divine Providence, be thus ultimately saved to the community.

[*A letter was addressed to Major Walker in the terms of the foregoing minute, under date the* 31*st of March,* 1808.]

PART III.

Papers relative to Infanticide practised by the Rajpoots in the Districts of Kutch and Kattywar, within the Dominions of the Guickwar: 1808 to 1820.

CONTENTS.

Extract Bombay Political Consultations, the 24th December 1808; containing, Copy of a Letter from Major Walker, with three Enclosures, giving an account of the lives of 20 children having been preserved, in consequence of the agreements entered into by the Jahrejah Chiefs, and of three persons having subjected themselves to punishment by destroying their Children - - - - - - - - - p. 75

Extract (para. 6) of a Letter in the Political Department, from the Court of Directors to the Governor in Council of Bombay, dated the 30th August 1809, approving the agreements concluded by Major Walker with the Jahrejah Chiefs - p. 77

Extract (para. 10) of a Letter in the Political Department, from the Governor in Council of Bombay to the Court of Directors, dated 14th April 1810, referring to Major Walker's Report of the success of his measures in Kattywar for the eradication of female Infanticide, and stating their intention to persevere in endeavours to accomplish that object - - - - - - - - - - - - - - p. 78

Extract Bombay Political Consultations, the 6th January 1810, containing Major Walker's Report above referred to, with a list of 32 Jahrejah Chiefs who had saved their daughters, and of enams and presents to the amount of 1,400 rupees, which had been given to the daughters of Jahrejahs - - - - - - - - - ibid.

Extract (para. 26) of a Letter in the Political Department, from the Court of Directors, to the Governor in Council of Bombay, dated the 29th of August 1810, containing an expression of the Court's highest satisfaction at the measures adopted for the suppression of female Infanticide, and commendation of Major Walker's exertions - - - - - - - - - - - - - p. 80

Extract (paras. 4, 5 and 6) of a Letter in the Public Department, from the Court of Directors to the Governor in Council of Bombay, dated the 26th October 1810, containing commendations of the conduct of Lieutenant-Colonel Walker in Kattywar, and particularly in his exertions to obtain the suppression of female Infanticide - - ibid.

Extract (para. 33) of a Letter in the Political Department, from the Governor in Council of Bombay to the Court of Directors, dated the 29th October 1811, referring to a correspondence with Futteh Mahomed, respecting female Infanticide, and promising their utmost exertions to effect the extirpation of it throughout Kattywar - - ibid.

Extract of Bombay Political Consultations, the 27th March 1811, containing Governor Duncan's correspondence with Futteh Mahomed, and the orders sent to the Resident at Baroda in consequence - - - - - - - - - 81

Extract (para. 18) of a Letter in the Political Department, from the Court of Directors to the Governor in Council of Bombay, dated the 4th November, 1814, containing an expression of the Court's wish to hear of the success of the measures in progress for the suppression of female Infanticide - - - - - p. 82

Extract Bombay Political Consultations - - the 7th December 1811.
2d January 1812.
16th January 1812.
12th February 1812.
9th March 1812.

Containing a correspondence with the Resident at Baroda, relative to the expedition into the country of Jam Jessajee, the Rajah of Noanuggur, for the purpose of obtaining satisfaction from that Chief for violations of Treaty; and the enforcement upon him of a fine of 5,000 rupees, in consequence of his not having adhered to his stipulation to abandon Infanticide - - - - - - - - - - - pp. 82—93

Extract (paras. 43 and 44) of a LETTER in the POLITICAL DEPARTMENT, from the Governor in Council of Bombay to the Court of Directors, dated the 22d August 1815, advising that the interruption of their communications with Kutch had deprived them of the means of promoting the abandonment of female Infanticide there - p. 94

Extract (para. 2) of a LETTER in the POLITICAL DEPARTMENT, from the Court of Directors to the Governor in Council of Bombay, dated the 15th March 1816; expressing regret that the state of affairs in Kutch appeared unfavourable to the extinction of Infanticide there - - - - - - - - - - - - - - ibid.

Copy LETTER from the Governor in Council of Bombay, in the POLITICAL DEPARTMENT, to the Court of Directors, dated the 16th August 1816; detailing the means which had been employed in consequence of the revival of intercourse with Kutch, with a view to the suppression of Infanticide, which was considered to be still very prevalent; only 15 females having been preserved: also, submitting to the Court a suggestion of Captain Carnac, that marriage portions should be granted at the public expense to two daughters who had been reared by the Rajah of Moorvie, which might be eventfully reimbursed from fines imposed for infraction of the Infanticide engagements; and a proposition of Captain Ballantine, to allow a monthly expenditure of 250 rupees, with a view to the detection of Infanticide; and stating that these proposals had been rejected on account of the expense; but submitting the former to the Court's liberal consideration - - - - - - - - - - - - - - - - ibid.

Extract of BOMBAY POLITICAL CONSULTATIONS, the 26th July 1815; containing orders on the Court's Letter of the 4th November 1814 - - - - - - p. 96

Extract of BOMBAY SECRET CONSULTATIONS, the 13th November 1815; containing instructions to Captain Carnac to continue his endeavours for the suppression of female Infanticide - - - - - - - - - - - - - - - - ibid.

Extract of BOMBAY POLITICAL CONSULTATIONS, the 16th August 1816; containing a Letter from Captain Carnac, reporting that Infanticide was not abolished in Kutch, nor even in Kattywar; stating the difficulties which attended its detection and suppression; recommending the case of the Rajah of Moorvie as one entitled to distinguishing notice, for his having preserved two daughters, the expense of whose nuptials Captain Carnac recommended should be defrayed by the British Government; and enclosing a proposal of Captain Ballantyne for the employment of Metahs (writers), with a view to the detection of female Infanticide, and stating objections thereto - - - - ibid.

A RESOLUTION of the Governor in Council of Bombay not to incur the expenses above recommended, but to submit Captain Carnac's proposal to the Court's favourable consideration; and Letters to Captain Carnac and Lieutenant M'Murdo, written in consequence of the above resolution - - - - - - - - - - p. 98

Extract of BOMBAY POLITICAL CONSULTATIONS, the 9th October 1816, containing a Letter from Captain Carnac, dated the 16th September, in which he details the measures adopted by him with reference to Infanticide, and suggests the establishment of rewards to informers against Jahrejas who violate their Infanticide agreements, regulated by the rank of the delinquents, and amount of the fines to be imposed upon them for such violations; with other measures for the prevention of Infanticide. Also a minute of the Government, stating their reasons for not immediately adopting the suggestions contained in the foregoing Letter - - - - - - - - - - - p. 102

Extract of BOMBAY POLITICAL CONSULTATIONS, the 30th of October 1816, containing a Letter from Captain Carnac, dated the 22d October, stating that every means in his power will be employed for the suppression of Infanticide, but that no measure can, in his opinion, be devised which will not be opposed to the wishes and feelings of the Jahrejahs - - - - - - - - - - - - - - - p. 105

Extract (paras. 75 a' 80,) of a Letter in the POLITICAL DEPARTMENT, from the Court of Directors to the Governor in Council of Bombay, dated the 1st of April 1818, in reply to the foregoing communications, conveying the Court's approbation of the measures pursued with respect to Infanticide, and regret at their inefficiency; their views of the obstacles which are found to impede its suppression; their satisfaction, nevertheless, that it was not considered a religious observance, and that the preservation of female children did not entail disgrace on Jahrejah families; and directing that the Rajah of Moorvie should receive some suitable ornament to his dress, to be presented in the name of the Company, in consideration of his having been the first to save the lives of his female offspring - - - - - - - - - - - - - - p. 105

Extract (paras. 140 a' 148,) of a Letter from the Governor in Council of Bombay, to the Court of Directors in the POLITICAL DEPARTMENT, dated 20th December 1817, enclosing the further reports of Captain Carnac and Captain Ballantyne, of the result of the endeavours of the latter to secure the suppression of Infanticide in Kattywar; and that they had been effective to the preservation of sixty-three children, with a minute of the Government thereon. - - - - - - - - - - - p. 106

Extract of BOMBAY POLITICAL CONSULTATIONS, the 24th September 1817, containing Captains Carnac and Ballantyne's reports, the latter dated 20th June 1817, detailing his endeavours to promote this object in Kattywar, and the obstacles which had impeded it: also submitting a List of Jahrejah families in Kattywar, and of sixty-three female children who had been saved by them, together with their respective ages: also a minute of the Government, postponing a final decision on the suggestions of Captain Ballantyne - - - - - - - - - - - - - - - - - p. 107

Extract BOMBAY POLITICAL CONSULTATIONS, 22d October 1817 - - p. 112

Extract (para. 48) of a Letter from the Governor in Council of Bombay, to the Court of Directors in the POLITICAL DEPARTMENT, dated the 7th January 1819, acknowledging receipt of the Court's orders. - - - - - - - - - - p. 114

Extract (paras. 74 a' 77,) of a Letter from the Court of Directors to the Governor in Council of Bombay, in the POLITICAL DEPARTMENT, dated 1st March 1820. Expressing regret at the prevalence of the inveterate practice of female Infanticide among the Jahrejahs, and a hope that means may yet be found for its suppression - - - - ibid.

Extract (paras. 444, 445,) of a LETTER from the Governor in Council of Bombay to the Court of Directors, dated the 9th of August 1820, advising the conclusion of a Treaty with the Rao of Kutch, by the 17th and 18th Articles of which the abolition of female Infanticide is stipulated - - - - - - - - - - - ibid.

Articles 10, 17, and 18 of the Treaty concluded with the Rao of Kutch - - p. 115

Extract BOMBAY POLITICAL CONSULTATIONS, the 2d February 1820, containing the ratification of the Treaty with Kutch - - - - - - - - - - ibid.

Extract (para. 49.) of a Letter from the Court of Directors to the Governor-General in Council of Bengal, in the POLITICAL DEPARTMENT, dated the 13th November 1822. Approving the stipulations for the abolition of female Infanticide, but stating reasons for doubting their efficiency - - - - - - - - - - - - - ibid.

Extract (paras. 50, 51,) of a Letter from the Governor in Council of Bombay to the Court of Directors, in the POLITICAL DEPARTMENT, dated the 29th of August 1821, stating the difficulties which impede the suppression of female Infanticide, and the reasons which appear to justify much caution in attempts to effect that object; and that from the best information Major Ballantyne could obtain there were not living more than 100 females who had been preserved after having been born in Kattywar since the agreement which was concluded by the Jahrejas with Major Walker - - - - ibid.

Extract BOMBAY POLITICAL CONSULTATIONS, the 6th June 1821, containing Extracts from two Minutes of Governor Elphinstone, relative to female Infanticide, dated the 9th and 26th January 1821 - - - - - - - - - - - - - p. 116

MINUTE of the Court of Directors, the 7th July 1819, recording a Letter from Lieutenant Colonel Walker, requesting to be permitted to peruse the proceedings relative to female Infanticide which had taken place since his departure from India - - p. 117

Letter referred to in the foregoing Minute - - - - - - - p. 117

Minute of the Committee of Correspondence, the 7th July 1819, recommending compliance with the foregoing request - - - - - - - - - - - ibid.

Letter sent to Lieutenant Colonel Walker conformably with the foregoing Minute - - - - - - - - - - - - - - - - - p. 118

Minutes of the Court of Directors 21st July 1819, and Committee of Correspondence 1st September 1819, recording a Letter and Memorandum on the subject of female Infanticide received from Lieutenant Colonel Walker - - - - - ibid.

Copy of Letter from Lieutenant Colonel Alexander Walker to Mr. Secretary Dart, dated the 19th July 1819, enclosing a Memorandum on the subject of female Infanticide, and offering some additional observations on that subject - - - - - ibid.

Copy Memorandum enclosed in the foregoing Letter - - - - - - p. 119

Minute of the Court of Directors 15th September 1819, recording a Letter dated 27th August 1819, containing some further observations by Lieutenant Colonel Walker on the subject of female Infanticide - - - - - - - - - - p. 121

Copy Letter referred to in the foregoing Minute - - - - - - - - ibid.

Extract (para. 21,) of a Letter in the Political Department from the Court of Directors to the Governor in Council of Bombay, dated 30th July 1823, postponing the further consideration of the subject of female Infanticide - - - - - - p. 128

PART III.

Papers relative to INFANTICIDE, practised by the Rajpoots in the Districts of Kutch, and Kattywar, within the Dominions of the Guickwar: 1808 to 1820.

PART III.
Rajpoots,
1808—1820.

Extract BOMBAY POLITICAL CONSULTATIONS, 24th December 1808.

READ the following Letter from the Resident at Baroda, with Enclosures.

Honble Sir,

1. ADVERTING to the chief Secretary's letter of the 31st of March 1808, I have great satisfaction in submitting for your information the accompanying copy and translate of a letter from Sewram Sadasheo, the native agent in Kattywar, with its enclosure. Nº 1 2.

2. It is little more than a month ago since I directed Sewram Sadasheo to direct his inquiries to ascertain the number of females which he might learn had been preserved in the Jahreja families, in consequence of the engagements for refraining from Infanticide; and the satisfactory nature of the information which he communicates, from a very limited proportion of the Jahreja territory, seems to promise that the humane expectations of the Honourable Company's Government will not be disappointed in the result.

3. I have also the honour to transmit another memorandum, verbally communicated from a Jahreja who came to Baroda from Moorbee, some time since, and I have no doubt that subsequent inquiries will greatly extend the list of those lives which the interference of the Honourable Company's Government have saved from the early death to which a barbarous superstition had doomed them.

4. When it is recollected, that with a strict inquiry during my progress in Kattywar not more than four or five instances of daughters being preserved could be traced for years past, the importance of this reform will be estimated by the number which have been saved in the few months that have elapsed since the engagements were executed.

5. The number of lives which are ascertained to have been preserved under a very limited inquiry is a decisive proof of the beneficial nature of those engagements, but the effect which they have had on the minds of the Jahrejas is probably shown in a prominent light by the circumstance of one of the Jahrejas mentioned in the enclosure, under the Bhyad of Dherole, being the same Jahreja Jessajee of Jallea, noticed in the 92d paragraph of my report of the 15th March last, who had already destroyed three daughters.

6. It is, probably, difficult to prove the fact of any female children being put to death; but in a country where this act has never been considered criminal, or disgraceful, and where every person avowed it without scruple or compunction, the circumstance of three Infanticides only being ascertained, and one of those resting on report, deserves notice, as tending to prove that the practice is decreasing, or that public opinion now views it in a different light than formerly.

7. For those that have been ascertained I have suggested to the Guicowar Government the mode of punishment which Mr. Warden's letter recommends.

8. I trust the information I have now the honour to forward will prove satisfactory, and afford you, Honourable Sir, the pleasing hope that the horrid practice of female Infanticide may be eradicated from Kattywar.

Baroda, 16th Dec. 1808. I have, &c.
(signed) *Alexr Walker*, Resident.

PART III.
– Rajpoots,
1808—1820.

Enclosure, N° 1.

Translated Letter from Sadasheo to Lieutenant Colonel Walker, dated Camp at Sunnoosurra, 19th Shavane, 8th December.

A. C.

IT is certain that the Gondul man has put his daughter to death, though no one will come forward to prove it against him; I am however using my endeavours on this point, and we shall actually detect him; the Dewanjee will, according to his orders, take measures to fine him; I shall have the honour hereafter to send you a particular list of those persons who have respectively preserved, and sacrificed their female offspring.

Enclosure, N° 2.

Memorandum from Wittoba Dewanjee of those Jahrejah Rajepoots, who, according to their agreement, have preserved their daughters, and of those who it has been ascertained from inquiry have put them to death.

Saor San Teetor Meyaten wo alif, 1223, (1818—19).

TALOOKA RAJECOTE and BHYAAD.

1. Jahrejah Dadajee has preserved his daughter, and had done so previous to the agreement on this account, she is now two years old.

2. Dessajee, Kotarea village, has had a daughter since the agreement, who has been preserved, and is now nine months old. He has given her the name of Jeejeeba.

3. Jahrejah, Moorjee, of Gowreedur village. This man's wife had a female child prematurely born, which died in its birth. The mother was in imminent danger, but she recovered.

KEERSERRA.

1. Jahrejah Rahdoorjee had a daughter four months ago, which he has preserved.
2. Jahrejah Bapoojee also had a daughter six months since, that is now living.
3. Jahrejah Dessuljee, of Radhur village, has preserved his female infant born three months ago.

DHEROLE and the BHYAAD.

1. Jahrejah Jeesajee, of Jallia village, had a daughter, which died a natural death one month after its birth.

2. Jahrejah Wuetajee, of Dherole, had a daughter two and a half months since, which is living.

3. Jahrejah Mackjee, and his brother, of Sunnoosura village, have each had a daughter, who are now nine months and twelve months old.

5. Jahrejah Bharrajee had a daughter of four months old.

6. Jahrejah Nuthoojee, of Sea village, has preserved his daughter, who has now arrived at eight months of age.

7. Jahrejah Kunterjee, of the same village, has a daughter of seven months old.

8. Jahrejah Kursonjee, of Rajepoot, has preserved his daughter of ten months old.

9. Jahrejah Dhajee, of the same village, also a female infant of nine months of age.

10. Jahrejah Dessagee, of Jahbooroo, has a daughter of seven months.

11. Jahrejah Jettajee, of Janvoojarra, his daughter is ten months old.

12. Jahrejah Puttabhoy, of Rodea, has a daughter of six months.

14. Jahrejah Togagee, of Dangur, has a daughter of six months.

15. Jahrejah Vuzoobhoy, of the same place, has a daughter of three months.

Village of WORALLY.

1. Jahrejah Khangee. His son has put his female infant to death.

2. Jahrejah Nuttoojee, of Goondul, who is the legitimate son of Dewajee, the Rajah of Goondul, has also sacrificed the life of his daughter.

This is affirmed by a number of people, but no one has yet come forward to substantiate it.

3. It is also said that another Rajepoot has put his daughter to death; but this is only a report.

Female children who have been preserved - - -	20
Died a natural death - - - - - - -	2
Put to death - - - - - - - - - -	3
Total - -	25

By an inquiry of one month the afore-mentioned information has been acquired, but these people are great vagabonds, and it is with great difficulty that they can be discovered in putting their female issue to death.

I have, however, taken proper measures to ascertain all particulars on this interesting subject.

(True Translates.)

Baroda, 10th August 1808. *J. R. Carnac*, First Ass^t.

Enclosure, N° 3.

According to the information of the Jahrejah Jeytajee, of Moorbee, the following families have saved their daughters since the agreements for abolishing Infanticide.

Jahrejah Moorjee, of Dherole, Janajee, of Nagrawar, Ramaloy, of Rajkote, and Shuthany, of Dherole.

These four, Jeytajee observes, have reared their daughters, who are of his acquaintance, but that many others have followed the same practice, and that it has become universal.

(A true Copy.)

(signed) *J. R. Carnac*, First Ass^{t}.

Minute of Government.

In acknowledging the above recorded letter, Lieut. Col. Walker is to be advised, that the Governor in Council experiences a sensible satisfaction at the prospect thereby afforded of extirpating from the Peninsula of Guzerat the horrid practice so long prevalent therein of female Infanticide, such as a vigilant attention in encouraging an adherence to the engagements lately entered into for renouncing it; and an enforcement of the recommended mode of punishment against those who may still be detected in its commission, cannot fail, under the blessing of Divine Providence, to achieve, and thereby, as is trusted, to stamp, an era in the history of Guzerat lastingly creditable to the English name and influence.

[*A Letter was addressed to Lieutenant-Colonel Walker, in the terms of the foregoing Minute, on the* 24th December 1808.]

Extract from a Letter in the Political Department from the Court of Directors to the Governor in Council of Bombay; dated 30th August 1809.

Para. 6. We cannot quit the subject of the Kattywar expedition without expressing our entire approbation of your having instructed Major Walker to prevail upon the several chieftains in that district to renounce the horrid practice of destroying their female infants. We have the consolation to observe, that in consequence of Major Walker's interference several of these chieftains have, by the execution of a most solemn deed, renounced this shocking custom in future.

Extract from a Letter in the Political Department from the Governor in Council of Bombay to the Court of Directors; dated 14th April 1810.

Letter to the Court, dated 30th August 1809.
(6.) Satisfaction expressed at the abolition of the practice of female Infanticide in Kattywar.

Pol' Consultations, 6th January 1810, fol. 73.

Para. 10. It will afford your Honourable Court increased satisfaction to observe by the Report from Colonel Walker, under date the 25th of December last, that the measures pursued by that officer under our instructions on his first circuit of Kattywar, have had all the effect that could perhaps be reasonably expected from them in so short a period; but as long as this horrid practice is allowed, and even cherished and extolled, in the adjoining and independent country of Kutch, we fear it may prove the more difficult to eradicate it entirely from Kattywar; to which effect, however, no efforts on our part shall be wanting.

Extract Bombay Political Consultations; 6th January 1810.

Read the following Letter from the Resident at Baroda, with Enclosures:

Hon^ble Sir,

1. During the recent expedition into Kattywar I was not unmindful of inquiring into the success of the humane arrangements introduced under the influence of the Honourable Company's Government, for the abolishment of female Infanticide among the Jahrejah Rajpoots; and I am happy to report that this reform has completely taken root.

2. I have the honour to enclose a list of those Jahrejahs who have preserved their female children, which fell under my own direct observance; on my halt at Dherole, I had all those in the immediate neighbourhood who were capable of attending brought to my tent, and many were too young to be brought from any distance. It was extremely gratifying on this occasion to observe the triumph of nature, feeling, and parental affection, over prejudice and a horrid superstition; and that those who, but a short period before, would, as many of them had done, have doomed their infants to destruction without compunction, should now glory in their preservation, and doat on them with fondness.

3. The whole of the instances submitted in the accompanying list have occurred since the execution of the engagements renouncing the practice of Infanticide; among these the Honourable the Governor in Council will observe the name of the Rajah of Moorbee, Kooer Dadajee, of Rajcote, and Kooer Wuckagee of Dherole, and of several other men of rank and influence, whose example must have a most beneficial effect.

4. The list of lives which have been saved to the community by the humane interference of the Company's Government might be very considerably increased by extending the inquiry into the Jahrejah villages; but this will be sufficient to show that the preservation of female children has now become general; there is no reason to doubt of the final abolishment of this inhuman practice; when once the natural emotions of parental affection have resumed their sway it may reasonably be expected, that this cruel and barbarous prejudice will be condemned by those who formerly most strongly supported it.

5. As every anecdote relative to Infanticide is deserving of notice, it may be worthy of remark, that in Kutch there is a village inhabited by Jahrejahs who have for many generations abstained from the universal custom of the caste, and preserved their female offspring.

This reformation has been produced in their manners by the influence of religion, and the presence of a temple of Vishnu in their neighbourhood; it is unnecessary to notice that the tenets of this sect inculcate a regard to animal life, and which have in this case extended their influence to the support of humanity.

7. I respectfully beg leave to submit to the consideration of the Honourable the Governor in Council, a memorandum of a disbursement made in presents to those Jahrejahs who had preserved their daughters, and who visited me at Dherole. The fund whence this disbursement is to be defrayed is from the Nuzzeranah, exacted from the Chieftain of Goondul, and which the Honourable the Governor in

PART III.
Rajpoots,
1810—1820.

in Council is already apprized, included an amercement for the destruction of the female infant of that chieftain's son.

8. This arrangement is in conformity to the instruction of the Honourable the Governor in Council, and I respectfully trust it will be honoured with their approval and sanction.

Baroda,
25th December, 1809.

I have, &c.
(signed) *A. Walker*, Resᵗ.

Translation of MEMORANDUM, specifying those Jahrejahs who have preserved their female Children.

TALOOKA DEHROLE.

1. Kooer Wucktajee.
2. Dodah Abogee.
3. Dadah Jetagee, of Dherole Byaad.
4. Jarajah Jetagee, of Jywah.
5. D° - Poonzajee, of Lealah.
6. D° - Muckindjee, of Sonsoora.
7. D° - Marlajee, of D°
8. D° - Mootajee, of Roofee Anna.
9. D° - Holajee, of Dangur.
10. D° - Maroojee, of Waagoodur.
11. D° - Bangee of Gooletaan.
12. D° - Puchanjee, of Lealla.
13. D° - Dosojee, of D°
14. D° - Jaymulgee, of Razpoora.
15. D° - Ingoojee, of Maigpoor.
16. D° - Byjee, of Veperdee.
17. D° - Bharajee, D°
18. Jarajah Ajobjee, of Anondpoor.
19. D° - Hallajee, of Ajamchera.
20. D° - Dosahjee, of Bajorka.
21. D° - Khaandajee, of Babarah.
22. D° - Dhooljee, of Tulone.
23. D° - Jatajee, of Dagarah.
24. D° - Moolajee, of Sunosooza.
25. D° - Jagajee, of Dungra.
26. D° - Huldore, Marejee.
27. D° - Imtajee.
28. D° - Jehajee, of Rajcote.
29. Kooer Dadajee, of Rajcote Byaad.
30. Jahrejah Jehajee, the Rajah of Moorvee, a daughter just born.
31. Jalerajeh Jessagee, of Jallia.
32. Kooer Dosajee, of Kotaana Moorvee.

(signed) *A. Walker*, Res.

List of Enams and Presents to the daughters of the Jahrejas.

TALOOKA DHEROLE and BYAAD:

Jarajah Wuctajee - - - -	Rupees	300
D° - Bowajee's brother's daughter	–	250
Dada Walojee - - - - -	–	150
D° - Jetagee - - - - -	–	150
Jarajah Mailajee - - - -	–	150
D° - Ponzajee - - - -	–	200
D° - Jettajee - - - -	–	200
	R°	1,400

(signed) *A. Walker*, Resᵗ.

MINUTES, 6th January.—We have read with interest and sympathy the preceding report of the successful progress in the abolition of female Infanticide, and we entirely approve of the measures which Colonel Walker has adopted with a view to the advancement of that salutary and desirable object.

The acting Resident at Baroda to be also advised of these sentiments for his future guidance in respect to the measures to be hereafter adopted, with reference to the future depression and ultimate extinction of this horrid practice among the Jahrejah tribe in Kattywar.

Extract from a LETTER in the POLITICAL DEPARTMENT from the Court of Directors to the Governor in Council of Bombay; dated 29th August 1810.

Letter from the Government, dated 14th October 1808. (88-89.) Relative to the success which has attended the endeavours to effect the abolition of female Infanticide in the Peninsula of Guzerat.

Para. 26. IN the 6th paragraph of our despatch in this department of the 30th August 1809, we noticed with the highest satisfaction the measures which were in progress for putting an end to the horrid practice among the chieftains in the Kattywar districts, of destroying their female infants. We have the additional satisfaction to observe from Lieutenant Colonel Walker's report of the 15th March 1808, containing the origin and history of this barbarous practice; and by his letter of the 16th December, referred to in the 46th paragraph of your subsequent despatch of the 30th January 1809, that he has been so far happily successful towards the accomplishment of this humane object, as to afford a prospect of completely extirpating from the Peninsula of Guzerat a custom that has been so long prevalent to the disgrace of humanity. Lieutenant Colonel Walker's perseverance herein is entitled to our highest commendation.

Extract of a LETTER in the PUBLIC DEPARTMENT from the Court of Directors to the Governor in Council of Bombay; dated 26th October 1810.

Para. 4. WE perfectly accord with you, that Lieutenant Colonel Walker, during his residence at the court of Anund Row, has rendered eminent services to the state by the restoration of order and regularity into the affairs of the Guikawar government, and the establishment of the Company's influence in that country.

5. Your instructions to Lieutenant Colonel Walker to endeavour to prevail upon the several chieftains of Kattywar to renounce the horrid practice of Infanticide have already had our entire approbation, as expressed in the 6th paragraph of our political letter to you of the 30th August 1809; and it is with the deepest interest that we have perused Lieutenant Colonel Walker's report of the 25th December 1809, referred to in the 40th paragraph of your political letter of the 31st January 1810, wherein we find that the arrangements adopted by Lieutenant Colonel Walker for the prevention of this barbarous custom have been attended with success; and that the reform in the habits of the people among whom the practice obtained had completely taken root; and that natural affection and parental feelings had so far begun to take place of prejudice and superstition as to leave no doubt of the abolition of this inhuman practice being finally effected; and we cheerfully acknowledge Lieutenant Colonel Walker's merits in having so successfully exerted himself in the general interests of humanity.

6. We are also ready to admit, that the successful result of Lieutenant Colonel Walker's political negotiations at the Guikawar Durbar, and with the chiefs of the states bordering upon the Guikawar dominions, and of the expeditions under his command, is to be attributed to the wisdom and prudence that suggested them, and to the ability and zeal with which they have been executed.

Extract of a LETTER from the GOVERNOR in COUNCIL of BOMBAY to the Court of Directors in the Political Department; dated 29th October 1811.

Letter from the Court, dated 29th August 1810. (26.) Satisfaction expressed at the prospect of extirpating the practice of female Infanticide from the Peninsula of Guzerat.

Pol

Para. 33. YOUR Honourable Court may depend on our constant and anxious endeavours, to effect the extirpation of female Infanticide throughout Kattywar; and as that unnatural and barbarous custom is still more prevalent in the adjoining province of Kutch, we beg leave to refer your Honourable Court to the continuance of the correspondence between our late President and Futteh Mahomed, in the view of engaging the Jahrejah chieftains of this last-mentioned country to renounce in like manner a practice so inhuman; his ultimate success, in which, after its having been his lot to discover and put a stop to its existence in the eastern part of your possessions in the district of Benares, our late President ever contemplated as one of the happiest incidents of his life.

Extract Bombay Political Consultations, 27th March 1811.

Read the following Letter from Futteh Mahomed, received the 15th January last:

Extract Translation of a Letter from Futteh Mahomed, Jemadar, to the Honourable Jonathan Duncan, Esq. Governor of Bombay, without date, and received the 15th January 1811.

With regard to what you have urged, founded not only upon the doctrines of Islamism and Christianity, but also upon the religious institutes of the Hindoos against the custom of the destruction of females, as in practice among the Jareja Thakoors, I have read what you have stated on the subject of this horrid cruelty. Truly, the mediations of those whom God has exalted are derived from supernatural inspiration; the truth is, that among the Jarejahs descended from the Jaroo tribe the practice of female destruction has been handed down from generation to generation for the last five thousand years. It constitutes, in fact, nothing new. Some do not practise it, whilst others do, at the birth. Every person is vain of his own faith, as the Almighty has declared. Every tribe is gratified with its own tenets, and in the chapter of the "Bukrut," is the following divine saying: "When you shall have witnessed the good as well as the evil of any particular religion, there will be found to exist nothing disgusting therein;" and hitherto no attempt has been made, since the world has been divided into four quarters, and subdivided into seven distinct religions, by any Persian or Arabian sovereign who has flourished on earth, to interdict the custom among the chieftains in question; and it cannot be unknown to you that this class of people are either connected by the ties of brotherhood or by relationship with his highness the Muha Row, my master (may his shadow be extended;) and it must be accordingly inexpedient and improper in me, who have been cherished by his highness, to discuss this question with the Jareja people: in concurring with the following Divine command, "It will not be competent to you to bring into the right path every person to whom you may be attached, though the Almighty be able to direct in the way of truth whomsoever he wishes." This point therefore excepted, I request you will unreservedly command my services in this quarter, on all suitable occasions; and I shall discharge the duties of a good wisher in the accomplishment thereof; not doubting at the same time, that you will always consider me as one of those who desire you well, and afford me the pleasure of your correspondence, such as I shall esteem the height of human felicity.

The following answer is written to Futteh Mahomed.

Extract of a Letter from the Honourable Jonathan Duncan, Esq. Governor of Bombay, to Futteh Mahomed, Jumadar, dated 25th March 1811.

I have of late had the pleasure of receiving a letter from you, on the subject of the fortunate consequences that attended the deputation of the late most worthy character, Captain Greenwood, to Mundavy, and respecting your reluctance to interpose for the prevention of the nefarious observance of female Infanticide, as being a long established custom that has prevailed among the Jahrejas of your quarter, and of which, although you cannot yourself but disapprove, you wish to decline interfering in for fear of giving offence to your superiors. You should however consider what a high religious merit you must acquire in the sight of the Almighty by proving the happy means of putting an end to so immoral and detested a practice, as must by all the world be acknowledged to be the one here alluded to, and which might gradually be repressed, and in time entirely rooted out, by pursuing the same conciliatory means for that purpose as was followed three years ago in Kattywar, by the respectable Colonel Walker, who after some amicable discussion, obtained, under the instructions of this Government, written engagements and obligations from all the Jahreja chieftains in that region to abandon so abominable a custom, in like manner as I had previously done two-and-twenty years ago from the Rajpoot tribe of Rajkoomars in the Zillah of Joanpore, in the province of Benares; since which, the acts of these Rajkoomars have remained unsullied with such barbarous and unnatural deeds as the murder of their own offspring. I enclose a translation of the engagement

engagement which these Rajkoomars on that account entered into, under date the 17th of December 1789, and the respectable Captain Carnac, Resident at Baroda, will forward a transcript of the engagement to the same effect entered into with Colonel Walker by the Jahrejas of Kattywar, both which writings I recommend your confidentially imparting, together with copies of my former and present letters to you on this important subject, to some of the most discreet of the head men of that tribe in Kutch, and on whom I cannot doubt the perusal and consideration thereof will produce a salutary effect, and awake their feelings to a sense of the murderous habitudes to which they and their ancestors have been thus long inured; such as I cannot suppose they will desire to persevere in after knowing that it has been relinquished by so many of their brethren both in the west and in the east, when they can, I trust, no longer desire to continue the solitary instance of such attrocity; in which case the Almighty will no doubt forgive the past, as being founded in their ignorance, and in those prejudices of education which it is so difficult in all countries to get the better of; whereas if they wilfully persist thus to put their own infants systematically to death, in defiance of the salutary example set to them by their brethren, it is to be dreaded that the Divine vengeance may one day overtake them and their country, in like manner as the history of other nations contains marked manifestations of, such as I hope they will avert in time, and seasonably shield themselves from, by the renunciation thus solicitously desired of them; nor can you in particular perform a service so agreeable to me as by contributing, by all the weight of your own influence, to the attainment of an object so highly interesting to humanity, respecting which I shall therefore wait your further report, with an anxiety proportionate to the importance of the reformation thus in view.

Extract of a Letter from the Chief Secretary to Government to the Resident at Baroda.

The accompanying letter from the Honourable the Governor to Futteh Mahomed is transmitted to you to be forwarded to its address, accompanied as it is by an English version of its contents, and of the single enclosure therein referred to, whilst you yourself will be careful to furnish that chieftain with the draft of the obligations entered into with Colonel Walker by the Jahrejas of Kattywar, to abstain from murdering their infants in future.

Extract from a LETTER in the POLITICAL DEPARTMENT from the Court of Directors to the Governor in Council of Bombay; dated 4th Nov^r 1814.

Letter from the Government, dated 29th October 1811.
(33.) Measures in progress for extirpating the practice of female Infanticide in the province of Cutch.

Para. 18, THE tenor of our letters in this department of the 30th August 1809, and 26th August 1810, and in the public department of the 26th October 1810, would lead you to anticipate our warm approbation of the exertions of your influence for prevailing upon the native chiefs to follow the example of those of Kattywar, in abandoning the barbarous practice of female Infanticide. It is unnecessary to say that we are most anxious to hear that your endeavours have been crowned with success.

Extract BOMBAY POLITICAL CONSULTATIONS; 7th December 1811.

Extract LETTER from J. R. Carnac, Esq. Resident at Baroda, to Mr. Chief Secretary Warden; dated 24th November 1811.

Enclosure, N° 5.

4. DESIROUS that no endeavour should prove wanting to accomplish the instructions of Government by amicable communication with the chief of Noanuggur, I have addressed him to the full effect of the enclosure, and the consequences of this letter will probably place it in my power to submit to the Honourable Board more satisfactorily than I yet feel authorized to do, the course which circumstances may appear to warrant.

5. With a view of receiving a reply to my letter I have halted at this place, conveniently situated within the limits of the possessions of Jam Jessajee, and that my advance to Neckwa on the direct route to the fort of Morepoor should not prematurely give birth to unfavourable impressions.

PART III.
Rajpoots,
1808—1820.

Enclosure, N° 5.

Extract LETTER from Captain Carnac, Resident at Baroda, to Jam Jessajee, the Chief of Noanuggur; dated 21st November 1811.

A. C.

1. PREVIOUS to my departure from Baroda I communicated with you on some particular points, to which I received no satisfactory answer; and though your conduct on this occasion has not been becoming your situation, I shall at present dispense with your oversight, and apprize you of the reasons which have made me come to this quarter.

2. The first is to require from you the discharge of the just demands of the government of Rao Raidhun; and on this head I suppose you will conform to what justice may dictate.

3. The second object of my journey is to require from you the persons who committed the barbarous act of wantonly wounding an English gentleman, convinced that if reason guides your conduct, and you regard your character, no difficulty will be experienced on this score.

4. Lastly, the infringement of your engagement respecting Infanticide will be fully investigated. It was the hope of the British Government that your rank and situation in this country would have impelled you to be foremost in showing a good example, as well in the strict performance of your public obligations as in renouncing a practice hostile to humanity, and contrary to the tenets of the sacred Shaster.

5. On this point I shall expect particular satisfaction from you; and the instances of misconduct to the Guicowar government will be made known to you by the orders of the Maharajah, Futteh Singh.

6. In order to discuss these several points, I beg you will send with despatch Mookhtiar Vakeels to this camp.

(True Copy.)
(signed) *J. Williams.*

THE President lays before the Board the following Translation of a Paper of Information from Walla Kesrea, which he has received from the Resident at Baroda in a private letter:

Translation of a Paper of Information from Walla Kesrea, dated last night. Camp at Surrufddur, 25th November 1811.

(Extract.)

AFTER my arrival in Nuggur, Ragoonath Mehta and myself had a meeting with Jam Jessajee, when the latter asked me the news of the camp; adding, what did the Dewanee formerly tell me?

I replied, that at the time the Dewanee went to Baroda he sent me with a particular request that you would consider on relinquishing bad customs; but then you would not hear me, and discovered strong symptoms of indifference. Now the reward of such conduct is about to appear; for what reason, therefore, can you expect any act of friendship from the Dewanee.

Jam Jessajee then answered, that for a small offence on that account was a severe punishment awarded; that he was a Zemindar, and sometimes committed faults. Ragoonath interposed, by observing to Jam Jessajee that he had been guilty of a great mistake in paying no attention to the Dewanee's friendly remonstrances.

Jam Jessajee, with great depression, declared that his death was at hand, and that his destiny, or a sincere friend, could only preserve him. "What course," also added Jam, "can I pursue, as every man that I require to go for the purpose of negotiation refuses to do so." In this manner he spoke a great deal. The substance of all Jam's observations are that he may be saved in this adversity.

Extract Letter to Captain J. R. Carnac, Resident at Baroda; 7th Dec. 1811.

1. I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your despatch, dated the 24th of last month; and the Honourable the Resident has laid before the Board the translation of the paper of information from Walla Kesrea, as received from you in a private letter of a subsequent date.

4. The Governor in Council regrets that you should have urged, at so early a period, the objects specified in the 4th and 5th Paragraphs of your letter to Jam Jessajee, the tenor of which is not calculated to conciliate his disposition; and that you did not limit your communication in respect to the primary motives of your mission, to the 2d and 3d Paragraphs, which contain strong and just grounds for our interposition.

Extract BOMBAY POLITICAL CONSULTATIONS; 2d January 1812.

Extract Letter from Captain J. R. Carnac, Resident at Baroda; dated Camp at Porebunder, 22d December 1811.

Para. 3. I TAKE this occasion also to state to the Honourable the Governor in Council the reasons which prompted me to make the infringement of the engagements for abolishing Infanticide a component part of my letter to the Nugger chief, under date the 21st of November.

4. The abolishment of this inhuman practice in this country could not be accomplished until Lieutenant Colonel Walker became enabled to obtain the assent of Jam Jessajee, whose example was declared indispensable by the other Jahreja chiefs, for their concurrence.

5. On these grounds it appeared to me of some importance that the earliest notice should be taken of the acts of the Nugger chief in violation of his engagement; it was consistent with the prompt measures adopted by Lieutenant Colonel Walker with the Gondul chief in 1809; but the recognition of this deviation in the instance of Jam was not required, exclusively, as it affected the act itself, but principally to deter others from imitating it, either from the belief that we had deserted an object so strongly supported by every consideration of common humanity, or that we were unwilling to insist on the fulfilment of the stipulations with the most powerful chief in the country.

6. It also occurred to me that the introduction of any subjects for discussion at a more advanced period of my negotiation might create distrust in the mind of Jam Jessajee, (notoriously suspicious in his disposition) as to the limits of our demands. In submitting however this explanation, I am aware that the subsequent exposition of the hostility of Jam Jessajee to each of the demands contained in my address to him of the 21st November renders it superfluous, except in justification of my measures.

MINUTE.—The preceding letter being entirely explanatory does not seem to require any particular observations from Government additional to those which the subjects referred to have already drawn from them.

Extract BOMBAY POLITICAL CONSULTATIONS, 16th January 1812.

Read the following Letter from the Resident at Baroda:

To Francis Warden, Esq. Chief Secretary to Government.

Sir,

I HAD the honour to communicate, in my letter bearing date the 22d ultimo, the deputation of Vakeels, by the chief of Noanugger, and the causes which prevented me from meeting them in the Guicawar camp. Having understood that I had taken my departure for Porebunder, these Vakeels no longer hesitated in coming forward, and actually reached this place on the evening of the day on which I arrived.

2. The intervention of inauspicious days was given in excuse for avoiding a meeting with me, until the 27th following; in the interim, however, their communications to my principal native agent betrayed an alteration in the sentiments of Jam Jessajee, effected, no doubt, by the determined course which it was now evident the Honourable Board would pursue.

3. On paying their visit, it was the wish of the parties that it should be considered complimentary; but, finding that they were charged with no letter from Jam, or provided with any powers beyond passive discussions of the litigated points, with ultimate reference to him, I was at a loss to devise any reasonable grounds for

delay; nor did I feel disposed to show any extraordinary consideration to the agents of a chief whose misconduct has been so notoriously unbecoming. The real object was, perhaps, to await the arrival of the troops from the Presidency, and according to the extent of our means of coercion Jam Jessajee would prove himself submissive.

4. Under such impressions, therefore, I declined a visit for the purpose they had stated, and demanded the nature and objects of their mission. In reply, it was only in my power to obtain general assurances of the attachment and respect of their master to the Governments of the Guicawar and Honourable Company, and his desire to concede to any demand commensurate with his ability. In recapitulating to these Vakeels the just and moderate claims which had been preferred, forming a striking contrast to the madness and folly of their master, I required to be informed whether they were vested with powers to admit of immediate accession to the demands I had through various channels made known to their chief; adding to this pointed interrogation the resolution of my Government to enforce obedience by the troops assembling in the field, provided their chief persisted in his unjustifiable resistance.

5. I discovered that no definitive power had been granted to these persons. They made known to me the embarrassment of their situation, and the peril which attended their employment, if the result was not conformable to Jam's expectations: their desire was expressed to see the present misunderstanding brought to an amicable termination, with which view they solicited that two of the three deputed as Vakeels might be allowed to return to Noanugger, in which case no exertion of influence should be wanting to induce their master to follow a course more consistent with his interests, and fealty to the Guicawar government.

6. To this proposal I felt myself unable to make any objection, without an imputation of having abandoned the temperate course which I had professed throughout my intercourse with Jam Jessajee; the two persons therefore proceeded to Noanuggur the same evening.

7. It may be useful in this place to offer a few observations on the motives which could have induced the deputation of these Vakeels, possessed of no authority, and even incapacitated from giving a satisfactory explanation on any subject which called for our interference.

8. It may appear questionable whether any sincerity existed of coming to an accommodation until called for by necessity, and that this necessity would be measured by the force which might arrive to support my negotiations.

9. The intention of sending Vakeels is asserted in the enclosure to my despatch of the 19th ultimo; and taking into consideration the avowed incapacity of these persons to enter into any adjustment, the evasive view imputed to Jam seems confirmed; and that their appearance at Porebunder was directed to the object, exclusively, of ascertaining the extent of equipment now going forward. If such a conclusion, therefore, can be fairly admitted by inference from appearances, the conduct in this instance of Jam Jessajee adds to the catalogue of his offences, and establishes the necessity of reducing him to a condition of more respect and obedience.

10. The return yesterday of the two persons above mentioned from Noanuggur has enabled me to ascertain, through the medium of my native agent, that the natural timidity of the character of Jam has already began to operate, that instead of the determined and boasting demeanour which he has exhibited for some time past we must be prepared to witness his concurrence to our demands, dictated by no returning principle of rectitude, but from apprehension of the consequences of further opposition.

11. These indications may justly lead me to hold out some expectations to the Honourable Board that the objects of my mission to this country will now probably be obtained short of hostility, although the well-known want of faith, and systematic prevarication of Jam Jessajee, will urge me to place no confidence in his asseverations until the troops have reached a position in his neighbourhood, which will enable me promptly to chastise the remotest inclination to depart from his word.

12. Impressed, however, with the importance attending the complete humiliation of the chief of Noanuggur, from the experience which the Honourable Board has recently received of his defiance of the power of his superior Government, and judging, after a calm and deliberate reflection, that omitting to render a proper example on the present favourable opportunity may tend to increase the arrogance

and presumption of Jam Jessajee, I deem it a principle of my public duty respectfully to offer my suggestions, leaving it to the wisdom of the Honourable the Governor in Council to decide on the expediency and justice of their adoption. It would almost be superfluous to advert to the conduct which this chief has testified since my mission to this country, unless it was to prove that his respect for the power of the Company's Government has been denied in the most unequivocal language; without dwelling on particular instances, it may only be necessary to point out his disavowal of all the engagements contracted with the Company's Government by the agency of Lieutenant Colonel Walker; his unjustifiable cruelty and persecution to those persons who were a party to these engagements; and his extensive hostile preparations, not only directed to resist our intervention on the most disinterested grounds for the payment of the pecuniary demands of Kutch, but to support his general resistance to authority.

13. Added to these examples of insubordination, it is also proper to notice the false colour given to our interference, (the necessity of which was openly disclaimed) and the means he has taken in the surrounding country to form a regular and methodical opposition, on the plausible foundation that the British Government meditated schemes of conquest and ambition.

14. The insults which have been showered down on the Guicawar are no less influenced from the same causes that have prompted Jam Jessajee to venture on disrespect to the Company's Government.

15. The agents of our ally have been driven out of the Noanuggur country, loaded with obloquy, their servants have been seized by force and carried away, and without the existence of any reasonable cause. Jam laid waste his country with a view of molesting our progress, though conducted without an act of offence or hostility.

16. In relating, in these brief terms, the irregularities of this tributary of the Guicawar government, I have confined myself to those of the greatest enormity, wishing to relieve Government from the trouble of recapitulation in this place of the examples which have been given in my recent despatches.

17. That these evidences of insubordination will constitute strong grounds for reducing the means of Jam Jessajee to a condition becoming his situation as a tributary chief, I trust will appear conclusive to the mind of the Honourable the Governor in Council; but considerations of policy, and the future tranquillity of this country, may imperiously demand the exertion of authority, under the favourable circumstances afforded by the present respectable force commanded by Lieutenant Colonel Smith, which it may not prove in our power at all times to command with convenience.

18. The chief of Noanuggur has compelled the Company's Government to use force for the attainment of objects which are in no proportion to the reputation he will derive in bringing us to that extremity; the example he has shown will induce others to follow a similar course, and no object, however insignificant, will at length be obtained without the intervention of a body of troops. A signal instance of the impunity of resistance, in my humble apprehension, will be displayed, added to the inconveniences above mentioned, if the Honourable Board at this crisis feel satisfied with the accession of Jam Jessajee merely to the demands originally preferred.

19. The power of the Guicawar may be involved in the increased arrogance of the chieftain of Noanuggur, and the general influence among the chieftains in Kattywar, which our secession without any permanent punishment being inflicted for acts of decided disobedience and contumacy, will also become prejudicial to the interests of our ally, and the tranquillity of the country.

20. These important considerations prompt me, therefore, to submit, with every deference to the Honourable Board, whether expediency and justice do not require a limitation to the power of the chief of Noanuggur being now imposed under the commanding force assembled in this country, and the substitution, on the part of the Guicowar government, of a wholesome control and superintendence, to obviate the evils we have experienced in our present intercourse with its tributary state.

21. To what extent this limitation should be carried to ensure the objects in view the Honourable Board will no doubt determine; but it becomes, at the same time, my duty to observe, that the measure, if executed with the certainty of permanent advantage, will not, in every probability, be accomplished without involving hostility,

and might eventually lead to the subjugation of Noanuggur; consequences which, perhaps, will ever be inseparable with any attempt to curb a chieftain whose disposition has betrayed too fully that his hostility to his superior government would be renewed on any favourable occasion afforded in times of greater difficulty and moment.

I have, &c.

Camp at Porebunder,
7th January 1812.

(signed) *J. R. Carnac,*
Resident at Baroda.

MINUTE of the GOVERNMENT.

THE prominent features of our policy in our connection with the Guicowar State, as far as relates to our interference in ameliorating the disordered state of Kattywar, appear to have been to impose restraints upon the tyrannical and unprincipled habits of its chiefs, to protect the weak from being wronged and oppressed by the strong, and to establish such an impression of the disinterestedness and integrity of the intentions of the British Government in these respects, as should supersede the necessity of our having recourse to chargeable military expeditions in the attainment of any reasonable measures that may be deemed indispensable to the general prosperity of the country, to the equipment of which the sovereign authority has been so repeatedly compelled to resort from the false and criminal sense of honour of a contumacious chieftain, whose arrogance, if not seasonably and efficiently curbed, would only tend to perpetuate those evils and disorders of which the late administration has commenced the reformation with such beneficial effect.

We have already afforded to the states of Kattywar the most decisive proofs of the firm determination of the British Government, as the ally of the Guicawar, to establish and maintain the principles of subordination and obedience to legitimate authority; and it is obviously indispensable to the permanency of those salutary impressions which this Government has so successfully introduced, not to tolerate in any chieftain an unprovoked and insulting defiance to our authority, and a threatened resistance to just interposition of our mediation, least of all to that which we were pledged to afford, as having the general prosperity of the country exclusively for its object, and in the prosecution of which we had studiously and anxiously endeavoured to demonstrate the pacific and entirely disinterested nature of our views. The manifestation of a passive or temporizing line of conduct under such provocations would not only confirm the arrogant in insubordination, but also encourage the more moderate and obedient to similar acts of disloyalty.

At the earliest period of our entering upon the amelioration of Kattywar it was a predetermined course of the policy of the Government to enforce the final object of the introduction of a permanent system of good order and government in that distracted country, by carrying on hostilities against the chieftain whose conduct might provoke a resort to so extreme an alternative.

In reviewing the former course of this Government's proceedings, the chief of Noanuggur will be found to have proved the only material obstacle to the success of these arrangements which the Honourable Company, in conjunction with the Guicawar, had undertaken to introduce into the Peninsula of Guzerat; and Colonel Walker's despatches, dated the 20th and 28th of November 1807, and 25th January and 15th March 1808, developed, in a forcible point of view, the unprincipled character of this chieftain, possessed of no right or title whatever to the territories over which he tyrannizes, to which he had been advanced contrary to every principle that regulates the line of succession among the Jahreja chiefs. He has yet, notwithstanding the illegitimacy of his dynasty, which ought to have induced some degree of moderation in his acts, been distinguished by those acts of cruelty and oppression, by a spirit of encroachment on his neighbours, that have kept the country in a state of inquietude and alarm, and rendered them all inimical to his authority. He would appear to be at enmity and at open hostility with almost the whole of his Byad, who are fugitives from the country, including his brother, who has been long indebted to the liberality of the Guicawar government for his maintenance and support, all of whom preferred repeated and earnest applications to Colonel Walker, when in Kattywar in 1807, for permission to join his detachment with a numerous body of armed men, for the purpose of being led against Noanuggur, which they proposed to reduce. These offers were, however, declined by Colonel

Walker, whose policy seems to have been dictated by the wise precaution of introducing reforms gradually at the commencement of our interposition, leaving it to a fitter opportunity to accomplish objects connected with the restraint or chastisement of any chieftain whose character or conduct might challenge any exemplary mark of our displeasure: with these preliminary observations the Board proceed to review the recent conduct of Jam Jessajee, of Noanuggur.

The objects with which the Resident at Baroda, in conjunction with the Guicawar authority, have recently entered Kattywar, are fully described in our despatch to the Supreme Government, dated the 6th November, as having principally in view the consolidation of the interests of Jam Jessajee, by the equitable adjustment of claims, on the plea of which Futteh Mahomed of Kutch had so repeatedly invaded the territory of Kattywar. These disinterested intentions have been opposed by Jam Jessajee by an unjustifiable resort to measures of hostility that has compelled this Government to equip a force for the purpose of coercing the chieftain in question into a just sense of his duty and allegiance.

Independently of these offensive preparations, and of the instances of culpable irregularity and contumacy chargeable to Jam Jessajee, the hostile attitude of opposition in which he now stands, and the language of defiance which he has on every late occasion used, render it, in the deliberate opinion of this Government, obligatory upon it to depart from the limited concessions which constituted the original objects of our interposition for the purpose of requiring, in addition to his acquiescence, in such an arrangement as shall deprive him of the means of disturbing in future the general tranquillity of Kattywar, and afford, at the same time, to the other chieftains of the Peninsula, an impressive and salutary proof of our determination to uphold those principles of subordination and obedience which have constituted the sole and legitimate objects of our connection with the Guicawar state. We have advanced too far and too successfully in the great, the salutary, and beneficent work of reform, to justify the manifestation, at the present crisis, of any relaxation in that vigorous system of control which has heretofore characterized our interposition in organizing that rude and uncivilized country.

It is justly observed by Lieutenant Colonel Walker, "that the stability of the arrangements which the Honourable Company and the Guicawar government are desirous of establishing in Kattywar, must at all times, in a great measure, depend on the care taken to afford protection against violence and oppression, and especially to oblige the chiefs to respect the customs and laws which are in favour of public order or private security. If this is neglected at any time, the country must be expected to relapse into a state of anarchy, and to exhibit a scene of devastation.

Under the fullest conviction of the truth of that remark, and under the influence of an equally firm persuasion, that the adoption of any temporizing measures towards Jam Jessajee, under the disposition which he has evinced, and the disreputable sentiments which he has expressed, and endeavoured to disseminate against the British Government, would inevitably lead to the evils preluded by Lieutenant Colonel Walker, the Government feels itself called upon to avail itself of the efficient and respectable force at its immediate command, and of the general state of tranquillity that pervades the British dominions, to deprive the chieftain in question of all power to gratify his contumacious and insubordinate disposition at any future period, when we may not probably have an opportunity, in all respects so eligible and convenient to interpose our authority for that purpose.

Impressed, therefore, with a persuasion of the policy and expediency of reducing Jam Jessajee to a condition more becoming his situation as a tributary chief, the Governor in Council has no hesitation in authorizing the Resident at Baroda to require from the chief of Nowanugger, under the acquiescence of the Guicowar government, the following concessions: viz.

That he will implicitly abide by the result of the arbitration of the claims of Futteh Mahommed: That he will disband the foreign levies in his service after discharging any arrears of pay that may be due to them, and engage to depend in future upon the Guicowar state for protection and security, the extension of which, on all just occasions, will be guaranteed by the British Government: That he will defray the expense of the force which the British and the Guicowar Governments have been compelled, by his unjustifiable conduct, reluctantly to equip, and whatever other pecuniary demands the Guicowar may possess against him, subject to the arbitration of the Resident at Baroda;

That he will restore to the Dherole family the Talooka of Surtuffdar, which he wrested from them about ten years ago;

PART III
Rajpoots,
1808—1820

That he relieve the Guicowar Government from the future charge of maintaining his brother Suttojee, by making an adequate provision for that purpose; and, lastly, that he inflict a signal and exemplary punishment on the authors of the cruel attack on Lieutenant Knight, and assistant surgeon James Orton.

There may be some minor arrangements which Captain Carnac's local experience may probably suggest as advisable to be adopted, and it would, however, be gratifying to Government to be informed of the protection and maintenance enjoyed by the principal Byauds, who were Burwatties against Jam when Colonel Walker's detachment entered the division of Hallaur in the year 1808, namely, the chiefs of Jallia, of Mokana, of Kersera, of Kerone, of Amrun, and of others of less importance, and of the Charons whom Jam had deprived of the villages granted for their support by his forefathers. Among these Jallia merits primary consideration for the services he rendered as a guide to the British detachment on its marches in that country. For those services it is not improbable but that the chief of Jallia may have continued to experience the resentment of Jam; should he be on that account labouring under the oppression of Jam, or a fugitive from his country, it is but an act of common justice that he in particular should be restored to his rights, and his security guaranteed for the future. a similar protection should be required for Nanjee, Jemahdaur, whose exemplary conduct is described in your despatch, dated the 15th of December, against the cruel resentment of Jam Jessajee.

In preferring the pecuniary demands prescribed in these instructions the Governor in Council is not aware that they will exceed the ability of Jam Jessajee to comply with them: his parsimonious habits have enabled him to accumulate treasure sufficient, probably, for the purpose, particularly when a reasonable period of time is allowed for the discharge of these expenses by periodical instalments, which, as should be pressed upon his consideration, will increase, the longer he withholds his acquiescence.

The protection to be required in favour of the Berwattia chieftains who are obnoxious to Jam alone, and who, as far as the Governor in Council is informed, are not chargeable with any act that can justify the exercise of a tyranny so oppressive; and who would therefore seem to be just objects of consideration with the sovereign state, must exhibit an undoubted proof of the dependence that may be placed on the guardianship of the British influence; at the same time that their reinstatement in their rights will establish a powerful confederacy in the Peninsula, upon whose support we may at all times reasonably rely; whilst, in respect to the cession of Surruffdar, it may be remarked that the family of Dherole is next in rank and priority of establishment to Nowanugger; but it has lost more of its possessions by the encroachment of Jam, and the remainder has only been secured by the interference of the Guicowar government. The restoration of this unjust usurpation, therefore, to its legitimate ruler, cannot fail to be universally recognized as an act of common justice to the Dherole family.

The Governor in Council is extremely solicitous to persevere in the efforts already made for the attainment of the humane and beneficial object of extirpating the horrid practice of female Infanticide from Kattywar. The disavowal of Jam Jessajee of his engagements for that, and for the other purposes for which he had afforded security, is an indisputable indication of the unprincipled character of that chieftain, as described in the following emphatic terms by Colonel Walker: "The character of this chief exhibits an extraordinary contrast of great arrogance and extreme submission, of insolence and timidity; and the treachery and cruelty of Jam are only restrained by the cowardice of his disposition."

It should also be borne in mind that the prejudices and sentiments of the country have stamped the efficacy of the Fael Zamine security in a very remarkable degree, by attaching to it the necessity of the most scrupulous observance; and any flagrant breach of that obligation is calculated to deprive the party so transgressing of every confidence, and to *justify a resort to every measure of severity.* Captain Carnac's remonstrances against Jam's disregard of the obligations of such a security cannot therefore be too strongly nor too publicly urged, nor his breach of faith in that respect too widely promulgated. It is fortunate that this degree of veneration for the Fael Zamine should obtain among so uncivilized and untractable a race of men as inhabit Kattywar, and the adjoining territory of Kamandel. The suppression of piracy, and the subjugation of the insubordinate and disorderly habits of the chieftains of Kattywar have all been maintained by the force of that simple obligation; and it is therefore most essential that the sacred regard with which it is viewed should be upheld by the British Government; since, if it tolerate the breach of an engagement so universally esteemed in a chief of such rank and power as Jam Jessajee, the whole claim of the security that has been established will be dissolved, and an opinion created of the invalidity of an instrument that happily operates so powerfully upon the minds of those rude classes of men, the evil consequences of which cannot be anticipated. Faithful to its own engagements, it is peculiarly incumbent on the British Government to maintain the validity of an obligation of this description.

For the attainment of these several objects the Resident at Baroda is fully empowered to apply the force at his command. He will not however resort to hostility until every effort at negotiation shall have entirely failed; when he shall have made known these demands to Jam Jessajee, Captain Carnac will explain in the most candid and explicit manner, to the chieftains or their vakeels who may be in his camp, the extent of our expectations, and the motives by which they have been dictated. Should any of them be deemed unreasonable, and of a nature utterly beyond the power of Jam Jessajee to concede, by any chieftain whose opinion may be entitled to respect and deference, the Resident at Baroda will modify their purport or extent. Such an appeal to the sentiments of the leading chiefs of the country cannot fail to prove gratifying to themselves, and to promote a conviction of the sincerity and integrity of our views.

[*Captain Carnac written to accordingly, the* 16*th of January* 1812.]

Extract BOMBAY POLITICAL CONSULTATIONS, 12th February 1812.

Extracts from a Letter from J R. Carnac, Esq. Resident at Baroda; dated Camp at Gope, 31st January 1812.

Para. 1. IN continuation of the subject of my communication with the Vakeels from Noanuggur, reported in my despatches of the 27th December and 7th instant, I have now the honour to acquaint you, for the information of the Honourable the Governor in Council, that immediately on the arrival of the principal part of the detachment commanded by Lieutenant Colonel Smith, the agents of Jam Jessajee, expressed an earnest desire of conferring with me, to which I did not at that time deem it advisable to consent, but concurred in their meeting Lieutenant Macmurdo, attached to the Residency, and my principal native agent, Gungather Shastry, for the purpose of receiving their proposals under the additional stipulation to those previously made by me, that the expenses to which the British and Guicowar Governments had been exposed by the equipment of their respective forces, should be defrayed by the chieftain of Noanuggur, on whose account they had taken place.

Enclosure, N° 1. 2. The result of Lieutenant Macmurdo's interview with the Vakeels will be found in the accompanying paper drawn out by that gentleman, and it did not surprize me that every concession was offered on the part of Jam Jessajee to the demands which had now been presented, although I was fully prepared for the observation of the Vakeels that their consent could not be considered definitive without further appeal to their master.

3. My distrust of Jam Jessajee, founded on experience during my present mission, and a previous acquaintance with his character, by no means encouraged me to hope for sincerity until the approach of the detachment to the neighbourhood of Noanuggur exacted it.

p. 295. N° 6. Para. 12. Conformably with the instructions of the Honourable Board I have presented to the Vakeels, with the sanction of the Guicowar Government, a translate of the accompanying articles, which contain the stipulations authorized in your letter of the 16th instant, and other demands of minor importance.

p 299. Para. 20. Sufficient evidence has already been given that no common engagements can possibly restrain a chief whose moral character has been corrupt in every relation of life, his public faith notoriously implicated; and his infidelity has even extended to the individual (Najee, Jemadar) who was the direct instrument of his accession to his power and possessions; to recur therefore to the former usage is adopting a system hitherto replete with disappointment, while it leaves Jam Jessajee restrained only by those forms which he has treated with neglect and contempt.

PART III.
Rajpoots,
1808—1820

Enclosure N° 1, in Captain Carnac's Letter.

Memorandum of a Conversation with the Vakeels of Noanuggur, in the presence of Lieutenant Macmurdo and Ghungadhur Shastry Putverdshun. p. 301.

(Extract.) p. 303.

The Vakeels were then asked respecting the Infanticide, and replied that neither Jam, nor any of his respectable Rajpoots, had had daughters, but that they would give good security in future.

Enclosure N° 6, in Captain Carnac's Letter. p. 317.

Memorandum delivered to Gujoo Jhallo, on the part of Jam Jessajee, by Captain J. R. Carnac, Resident, dated Camp at Gope, 30th January 1812.

(Extract.) - 318.

3. You entered into certain engagements with Colonel Walker not to commit Infanticide, but when a mehta of the Guicawar government went for the purpose of making inquiries on the subject, you did not permit him even to enter your city, and insulted the letter of Government; satisfaction will be required by both Governments, that such conduct will never occur in future, and a fine will be required for the past.

Extract Bombay Political Consultations, 9th March 1812.

Extracts of a Letter from J. R. Carnac, Resident at Baroda, to Mr. Chief Secretary Warden, 27th February 1812.

1. I have the honour to detail my proceedings with the Chieftain of Noanuggur, antecedent to the measure of advancing against that Fort with this detachment, as reported in my address of *yesterday's* date, and in the sequel of the despatch to specify the terms on which I have been induced to consent to a settlement with Jam Jessajee, without resorting to the last extremity of an assault on his capital.

2. Conformably with the notification stated in the 12th paragraph of my letter of the 31st ultimo, of the period granted to the Vakeel of Noanuggur to return with the answers of his master to the demands of Government, I received from this person a letter, with a separate paper, styled the replies of Jam to the proposals in question.

3. In transmitting copies and translates of these papers, I have only to remark, that the equivocation of Jam Jessagee in his answers to many of the demands preferred against him, and his total evasion of those of greater moment, determined me to lose no time in requesting Lieutenant Colonel Smith to advance; previously desiring the Vakeel Gurjoo Jhalla to return and apprize his chief of my resolution to coerce the objects of the British and Guicawar Governments, provided every other course failed of success.

17. After ground had been occupied for the batteries, I received a verbal message from Jam through a Gossain, requesting that Sunderjee Sewjee might be immediately sent to him. It is needless to say that the manner of making this request determined me to deny compliance, adding, that if he (Jam) felt interested in communicating with Sunderjee, or other persons belonging to my service, I should have no objection, on a proper application in writing, to admit of his attending him for that purpose. 456. 9.

18. The answer produced in a few hours, a letter from him to the effect of his message, and Sunderjee accordingly proceeded with a draft of the articles, which were considered by the Guicowar Government and myself indispensable from the extreme contumacy of Jam. A translate of these conditions is herewith enclosed, 5/ and it will be perceived that four additional concessions, to those formerly required, were included: viz. an augmentation of tribute to his Highness the Guicowar; the cession of Surryah Bunder to the same power; a pecuniary payment for the commencement of hostility; and the destruction of the fort of Moorpoor. The forward state of preparation for an assault of the town was made known to me by Lieutenant Colonel Smith on the evening of the 23d; and wishing in every stage to conform

to the spirit of moderation which had pervaded under the orders of Government, the whole course of my communications, I addressed Jam for the last time to apprize him of his danger. This measure, and the information which I caused to be sent to Sunderjee, of my resolution to proceed to the last extremity, unless Jam Jussajee gave an unqualified assent to all the demands preferred by his agency, I have every reason to believe produced the most desirable effects.

19. The articles were subscribed to without any reservation, and Sunderjee attended at my tents at one in the morning of the 24th, with Ragoonathjee, mehta, and Susrajee. These persons having given themselves as security for the performance of all stipulations, the arrangements for assault in the morning were countermanded; and in the course of the day our batteries were withdrawn.

462. 26. I now beg leave to submit, for the information of the Honourable the Governor in Council, copies and translates of the several deeds which have fol-
7/ lowed a settlement of Noanuggur, and to proceed to offer such remarks as may tend to elucidate the motives which influenced me in affording my acquiescence to the demands preferred against the chieftain of Noanuggur, beyond those detailed in my instructions from Government of the 31st ultimo.

466. 33. Before I conclude I feel it necessary to offer a few observations in explana-
8. tion of the protracted negotiation which has taken place since the advance of the detachment from Porebunder.

34. It was an object of great utility that the country at large should be persuaded that the British Government, in the measure it was adopting, were actuated only by the desire of fulfilling a public engagement To this desirable end, next to the moderation and justice of our claims, nothing appeared better calculated than that our progress should give abundant time for reflection.

35. I was solicitous, on other considerations, to avoid precipitation when supported by no existing emergency; a state of hostility at an early stage might have led to the assault of Noanuggur, and the reduction of the power of its chieftain; the former would not have been necessary for our views, and the effects would have been dreadful to humanity, from the multitude of inhabitants who had resorted to the place, and the custom of the Rajpoots, in such an issue, to massacre and exterminate their women, children and servants.

36. The consequences also which might attend such an event were worthy of serious consideration; a country desolated and liable to be disturbed with the partizans of its chief; the probable task of reducing afterwards other strong holds, and being drawn into operations extensive and inconvenient; the absence of all revenue, or present means of satisfying the claims now obtained for the British and Kutch Governments; and, lastly, the impolicy of the measure, powerfully stamped on my mind the necessity of not overlooking any opportunity, whether favourable in a remote or immediate degree, to escape events of such magnitude. I cannot refrain under such impression from congratulating the Honourable Board on the issue which has now been attained, presuming on its having combined both the honour and interests of the coalesced Governments.

Enclosure N° 2, in Captain Carnac's Letter.

470. Extract Memorandum brought by Gujgoo Jhalla, from Jam Jessajee, in reply to the Kulumbundy sent for his acceptance from Ghope, dated Maugwud 9th, 5th February 1812.

471. 3. You wrote respecting the Infanticide, no person has stepped beyond the agreement made formerly with Colonel Walker, nor will there be any difference.

Enclosure N° 5, in Captain Carnac's Letter.

478. Extract Memorandum of Articles sent with Soonderjee Sewjee, of Noanuggur, on the 23d February 1812, at noon, for the acceptance of Jam Jessajee.

479. 9. A fine of 5,000 Rupees to be paid for a breach of the Infanticide engagements, and Bhat Charon security given to prevent Infanticide in Nuggur and its dependencies.

Enclosure,

Enclosure, N° 7, in Captain Carnac's Letter.

Translation of a Deed executed by Guduee Walla Khema Kesria, Phalgoon Wud 2d, 29th February 1812.

In the year 1864, 1807, A. D. It was agreed that no Jahrejahs should kill their female infants. I agree to pay 5,000, Sicca Rupees, the amount of fine imposed on Jam Jussajee to this day. Agreeably to the following Kist. 491. 4.

1st Kist, 2,500 Rupees,	2d Kist, 2,500 Rupees,
Wiesach Wud 2d, 1868.	Asarwud 2d, 1868.
May 1812.	July 1812.

1 per cent per month shall be paid if the Kists should be over-run.

(signed) *Gudvee Walla Khema, Muttoo*
y his mark.

Translation of a deed executed by Jam Jessajee of Noanuggur with the Government of Shreemunt Ray Shre Sena Khas Khiel Shumshare, Bahadoor, and the Honourable Company. Phalgoon Sud 13th, 1868, 25th February 1812.

It has been a practice among the Jahrejahs of my caste not to permit any female infants to live. The two Sircars have pointed out to me the true Hindoo religion, and that the Bhremia Wymurt Pooran declared it to be a horrid crime, and that killing an infant is the same as killing a Brahmin, and also that the murder of a woman is equal to that of 100 Brahmins.

In this case both the murder of an infant and woman occur, for which crime the perpetrator will receive as many punishments as there are hairs on the woman's body, and will be born a decrepit leper in the next transmigration. The Sircar in the year 1864, 1807, having explained this to me, I agreed not to commit this crime, or to allow it in my Byaud, and passed a writing to that effect.

I did not give proper information to the Sircar's mehta, who came to inquire into the business, on which account I again engage to Government that neither myself, descendants, or Byaud, will commit this act, and if we should we are guilty before the Sircar. If I know of any of my caste having committed this act, I will turn him out of the caste, and answer to Government as they may choose.

I also give Bharoot Merroo, metah, of Veerumgaum, and Bharot Ramdass, nuttoo, of Julsun, as securities for the above.

(signed) *Jam Jussajee Muttoo.*

We, Murroo, metta, Bharot, of Veerumgaum, and Ramdass, nuttoo, of Julsun, also engage to answer the above with our persons.

(signed) *Bharot Merroo, metta* } Muttoo.
(signed) *Bharot Ramdass, nuttoo* } Muttoo.

RESOLUTION of GOVERNMENT.

The Governor in Council having already expressed his favourable sentiments of the ability with which the military operations against Noanuggur have been conducted, it is only necessary to add, in reference to the remarks of the Resident, upon the fortunate issue of the expedition, that their important results in every point of view, but above all in the effects that have followed from the moderation of our arms, in the preservation of the lives of so many of its innocent inhabitants, are fully appreciated by the Government, which has contemplated moreover, with a considerable degree of confidence and satisfaction, the prudence, perseverance, and judgment which Captain Carnac has from the first displayed in the immediate control of the measures that have led to so desirable an issue. 501. 2.

Extract from a LETTER in the POLITICAL DEPARTMENT from the Governor in Council of Bombay to the Court of Directors; dated 22d August 1815.

Letter from the Court, dated 4th Nov. 1814.
(18) The Court's anxiety to know whether our endeavours to extirpate the practice of female Infanticide in the province of Cutch have been crowned with success.

Para. 43. THE events which have recently occurred in the province of Kutch, and led to the termination of all intercourse with that government, has deprived us of the means of encouraging the native chiefs in an adherence to their laudable resolution to abandon the inhuman practice of female Infanticide.

44. We have, however, called on the Resident at Baroda to ascertain and report whether the practice has been discontinued wholly or in part in Kutch, and whether it has entirely ceased within the province of Kattywar.

Extract from a LETTER in the POLITICAL DEPARTMENT from the Court of Directors to the Governor in Council of Bombay; dated 15th March 1816.

Political Letter,	30th August	1809,	p. 6.
D° - D°	29th D°	1810,	p 27.
Public - D°	26th October	—	p. 5.
Political D°	4th November	1814,	p. 18.

Para. 2. HAVING had occasion, in our despatches noted in the margin, to speak in terms of high approbation of the measures which were in progress for putting an end to the horrid practice among the chiefs in the Kattywar districts, of destroying their female infants, and particularly in respect to the measures pursued by Lieutenant Colonel Walker, which had been so far successful towards the accomplishment of this humane object as to afford a prospect of completely extirpating from the Peninsula of Guzerat a custom that has so long prevailed to the disgrace of humanity, we were concerned to observe, by the 43d and 44th Paragraphs of your political despatch of the 22d August 1815, that the events which have recently occurred in the province of Kutch, and which led to the termination of all intercourse with that government, have deprived you of the means of encouraging the native chiefs in an adherence to the laudable resolution of abandoning the inhuman practice of female Infanticide; but that you had called on the Resident at Baroda to ascertain and report whether the practice has been discontinued wholly or in part in Kutch, and whether it has entirely ceased within the province of Kattywar. Most sincerely do we wish that that report may prove satisfactory; and we must again enjoin you, in the most serious and earnest manner, to be unremitting in your endeavours to accomplish this humane object in the countries wherever the British influence can be felt or exerted.

POLITICAL DEPARTMENT.

To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the East Indies, London.

Honourable Sirs,

Para. 1. WE had last the honour of addressing your Honourable Court on the 6th of this month; since that date we have received your letter of the 15th of March, noticing the communication made in our despatch of the 22d of August last, wherein we observed that the termination of all intercourse with the government of Kutch had deprived us of the means of encouraging the native chiefs in an adherence to the laudable resolution of abandoning the inhuman practice of female Infanticide; expressing a sincere wish that the report we had called on the Resident at Baroda to make, whether the practice had been discontinued wholly or in part in Kutch, and entirely in the province of Kattywar, would prove satisfactory; and enjoining us at the same time, in the most serious and earnest manner, to be unremitting in our endeavours to accomplish this humane object in the countries wherever the British influence can be felt or exerted.

Dated the 15th November 1815, Para. 23.
See copy sent to the Honourable Court in the 80th Para. of our Despatch, dated the 24th February 1816.

2. IN our instructions to Captain Carnac on the occasion of renewing our negotiations with the state of Kutch, your Honourable Court will observe we apprized that officer, that "the suppression of female Infanticide was, as he was aware, an

PART III.
Rajpoots,
1808—1820.

an object, for the accomplishment of which the British Government was extremely solicitous; and that the late Futteh Mahomed having pledged himself to promote the entire suppression of that horrid practice, we trusted that Lieutenant Mac Murdo would feel no difficulty in obtaining an obligation from the Rao to use his influence in prohibiting so unnatural and so inhuman a practice."

3. Captain Mac Murdo has not yet acted upon that part of his instructions, having, in a private letter to our chief secretary, dated the 22d of January last, explained that "he could not touch on Infanticide just now; it would have needlessly irritated and alarmed the Jahrejas, and we shall have time to go to work slowly and methodically with greater prospect of success."

4. We have only within these few days received Captain Carnac's reply to our reference of the 22d of July 1815, which has been noticed by your Honourable Court; a copy of which, and of our chief secretary's letter in answer thereto, we have the honour of forwarding for your information.

5. The impaired power of the Rao, and the internal revolutions in Kutch, Captain Carnac states, have been made a pretext for paying no attention to the execution of our wishes; and under these untoward circumstances we have not been enabled to carry our views for the abolition of female Infanticide in that province beyond measures of representation; and now that we have obtained a political establishment in Kutch we fear it may require no slight degree of exertions before any sure progress be made in the success of our object. Captain Mac Murdo's attention, however, has been directed to the impressive injunctions of your Honourable Court; and as we have directed periodical reports to be submitted to us of the success of our exertions, we entertain a hope that by the vigilant and persevering efforts which will be bestowed on this interesting subject, this humane object will be ultimately accomplished.

6. Although no evidence has been afforded of any Jahrejah having destroyed his offspring since his engagements to abandon the practice were formed, still as the preservation of only fifteen females can be vouched for, the disparity of the number is very great, according to the ordinary progress of population, and seems to prove that female Infanticide has not been entirely eradicated within the Peninsula of Kattywar.

7. Captain Carnac has brought to our notice the Rajah of Moorvie as a chieftain who has set an example of an adherence to his engagement. He has now two daughters, who will shortly be offered in marriage; and submitted to us, "that nothing would better conduce to the suppression of infanticide in this part of India, or be considered as a more honourable proof of the regard of the British Government to the Rajah than the nuptials of his daughters being conducted at the public expense;" an expense which may be eventually reimbursed from the fines which may be imposed on any infraction of the infanticide engagements.

8. Captain Ballantine has also noticed, that as "the means of detection must of course be by clandestine intercourse with the parties and surrounding inhabitants, and to which ends, persons so deputed must remain for some time on the spot, Guzerattee mehtas, or writers, are the proper persons to be employed on this duty; that they were employed by the native government in these duties heretofore; and that the present number to be selected for this important duty should not be less than five, at 50 rupees per month each, or 250 rupees per mensem on the whole."

9. From our instructions to Captain Carnac your Honourable Court will learn the grounds of the objections we entertain to establish a precedent which may lead to the incurrence of expense on the celebration of the marriage of other daughters of the Jahrejahs of Kattywar. We have, however, called upon Captain Carnac to report what would be the amount of the expenses attending the marriage of persons of this class, and should your Honourable Court be disposed to mark this example on the part of the Rajah of Moorvie of a laudable adherence to his engagement, by the extension of your munificence in the grant of a present in this particular instance, the effect will, we conceive, be more beneficially operative, as emanating from your high authority, than if the measure had been sanctioned by us, a power which we should feel reluctance in exercising at any time under the strict and repeated injunctions which we have received for the observance of every degree of economy in the

public expenditure. Your decision on the proposed establishment, should we be unable to maintain an effective control without it, would also prove acceptable to us.

We have the honour to be, with the greatest respect,
Honourable Sirs,
Your most obedient and faithful humble servants,

(signed) *Evan Nepean,*
M. Nightingall, L. G.
Geo. Brown.
J. Elphinston.

Bombay Castle,
16th August 1816.

Extract Bombay Political Consultations, 26th July 1815.

Resumed consideration of the letter from the Honourable the Court of Directors, dated the 4th of November 1814.

18. The Court's anxiety to know whether our endeavours to extirpate the practice of female Infanticide in the province of Cutch have been crowned with success.

The events which have recently occurred in the province of Cutch, and led to the termination of all intercourse with that government, has deprived us of the means of encouraging the native chiefs in an adherence to their laudable resolutions to abandon the inhuman practice of female Infanticide.

A copy of the 18th paragraph is however to be forwarded to the Resident at Baroda, with directions to ascertain and report whether the practice has been discontinued wholly or in part in Cutch, the Governor in Council concluding that it has entirely ceased within the province of Kattywar.

Extract Bombay Secret Consultations, 15th November 1815.

Extract of a Letter from Mr. Chief Secretary Warden to Captain J. R. Carnac, Resident at Baroda, dated 15th November 1815.

Para. 23. The suppression of female Infanticide is, as you have often been apprized, an object for the accomplishment of which the British Government is extremely solicitous, and the late Futteh Mahomed having pledged himself to promote the entire suppression of that horrid practice, the Governor in Council trusts that Lieutenant Mac Murdo will feel no difficulty in obtaining an obligation from the Rao to use his influence in prohibiting so unnatural and so inhuman a custom.

Extract, Bombay Political Consultations; 16th August 1816.

Read a Despatch from the Honourable the Court of Directors, dated the 15th March.

Read also the following Letter from the Resident at Baroda to Mr. Chief Secretary Warden, dated 18 July with Enclosure.

Sir,

In reference to the third paragraph of your letter, dated 22d July, enclosing copy of the 18th Para. of a despatch from the Honourable the Court of Directors on the subject of female Infanticide, I have the honour to report, in pursuance of the orders of the Right Honourable the Governor in Council, that the abolition of this inhuman practice in Kutch has not been accomplished.

2. The urgent representations to that government during the life of Futteh Mahomed, and our subsequent intercourse with his highness Rao Raidhum and his ministers, were attended by no effect; in the first case, from a declaration, that an interference with the religious prejudices of the country was incompatible with the situation of Futteh Mahomed, and latterly the impaired power of the Rao, and the internal revolutions in Kutch, have been made a pretext for paying no attention to the execution of our wishes.

3. Circumstances have not enabled us therefore to carry our views for the abolition of female Infanticide in Kutch beyond the measure of representation; and considering that the prejudice which tolerates this atrocious practice is interwoven with the conceived notions of honour of families of Jahrejah origin, it could not be expected until our influence was established that female Infanticide could be suppressed.

4. It may require also considerable exertions and discretion, now that we have obtained a political establishment in Kutch, before any sure progress is made in the success of our object. In the customs of the natives of India, but especially in their religious feelings, any spirit of reform must be introduced by taking advantage of occasional opportunities to offer advice or gentle remonstrance, and not by inculcating innovations or changes from the imposing appearance of our power. This principle is well understood by Captain Mac Murdo; and under the instructions of Government, that gentleman will doubtless have the happiness of exhibiting the preservation of the lives of female Jahrejah children without offending the prejudices of that tribe, or exciting undue suspicions of the motives of our interference.

5. I should have been happy to announce that female Infanticide was entirely eradicated from the Peninsula of Kattywar. Although there has lately been no evidence afforded to me, either by my assistant, or the Guicawar local authority, of any Jahrejah having destroyed his offspring since the accession to the engagements by the means of Colonel Walker, I have been disappointed in the result of the statement of those children who have been reported as preserved. The accompanying letter from Captain Ballantine seems to vouch only for fifteen, the disparity of which number is very great according to the ordinary progress of population.

6. I am persuaded, however, that there could have been no want of exertion in the public officers in Kattywar for ascertaining those persons who may have departed from their engagements. The difficulty of discovery, by the interspersed state of the Jahrejahs over a considerable tract of country, and the pervading principle among these people not to betray the practice which their own prejudices approved, will account for the continuance of female Infanticide in defiance of any public obligations for its suppression.

7. It is important that our humane endeavours have preserved some victims, and that the act is not now considered disgraceful to the families which have given this laudable example. The general adoption of the practice among the Jahrejahs extenuated the crime, and apologized for this violent perversion of the instinctive feelings of human nature, but as children are now preserved, it is natural to believe that the Jahrejahs must gradually return to the influence of those natural feelings which are the best security for the success of our interference.

8. Among those who have given the example, the Right Honourable the Governor in Council is aware that the Rajah of Moorvee is included. He has now two daughters, who will shortly be offered in marriage; and I submit, with great deference, that nothing would better conduce to the suppression of Infanticide in this part of India, or be considered a more honourable proof of the regard of the British Government to the Rajah, than the nuptials of his daughters being conducted at the public expense.

9. With a view of relieving us from the charge, I would propose that Captain Ballantine should be sedulous in his inquiries after those Jahrejahs who may have sacrificed their female children subsequent to their engagements, and that he exact a pecuniary fine, conformably to the penalty prescribed when those engagements were contracted. I would also propose that the means to be given to the Rajah of Moorvee should not be delayed until we have realized the fines from the delinquent Jahrejahs, but that he is apprized immediately of the intention of the Company's Government to perform at its own expense the nuptials of his daughters, in a manner consistent with the honour of the family.

Baroda,
18th July 1816.

I have, &c.
(signed) *J. R. Carnac,* Resident.

(1.)—Captain J. R. Carnac, Resident, Baroda.

Sir,

1. I HAVE the honour to acknowledge the receipt of your separate letters of the 24th August 1815, and 29th April last, on the subject of Infanticide; your first accompanying an extract from Government, with an annexed paragraph from the Honourable the Court of Directors on this interesting subject, and your second directing, in reference to that letter, the most active attention, such as to interpose an entire abolition of that dreadful practice.

2. When in Bombay with you in April 1814, to the best of my recollection, I had the satisfaction to furnish you with a memorandum which contained a list of fifteen children saved to the community under the humane and benevolent interposition of the Honourable Company's measures, since when it is within your knowledge that the country of Kattywar has been in such a state of general anarchy and confusion as to entirely preclude an uninterrupted search into the domestic concerns of any of the principal Jahrejah chiefs more or less connected with these evils.

3. It may in the mean time be satisfactory to assure you, that during my late sojourn through the principal part of the Peninsula, and in my frequent and continued intercourse with the inhabitants of all descriptions and castes, I had no intimation of the slightest degree showing the prevalence of this inhuman custom, particularly among the higher orders; the secrecy, however, with the prejudice, may still possibly be held since the prohibitory engagements entered into with Colonel Walker, and the increasing interest with which its entire abolition is viewed by the British Government and community in general, suggests to me the propriety of offering for your consideration, and the sanction of the Right Honourable the Governor in Council, a more efficient means of prosecuting, under our own immediate supervision, every possible channel by which to detect any deviation from these solemn engagements.

4. I have not relaxed on any occasion to impress on the minds of the Guicawar officers the common interest with which the entire abolition of the practice is considered; and although my applications have not been successful, it is in justice to them to be observed, that most of the principal Jahrejah chiefs situated in Halleer, &c. have been amenable to the Paishwa's authority, which, combined with the causes above adverted to, is entitled to due consideration. I have therefore to solicit permission to entertain such an establishment as may be considered equal to the full accomplishment of this interesting and humane object. It is known to you that in the detection of any case of delinquency, as in those enumerated by Colonel Walker, a fine proportionate to the case, and the ability of the parties, is imposed; nor may it seem, I would respectfully observe, objectionable that the public expense on this account should (in any case occurring) be reimbursed from the same source.

5. The means for detection must of course be by clandestine intercourse with the parties and surrounding inhabitants, and to which end persons so deputed must remain for some time on the spot. Guzerattee mehtas, or writers, are the proper persons to be employed on this duty; they were employed by the native government in these duties heretofore, and the present number to be selected for this important duty should not be less than five, viz.

Five mehtas at 50 Rupees is, per mensem, Rupees 250.

6. On the receipt therefore of your instructions to this effect the most decided attention shall be given to obtain every possible intelligence of the (to be hoped) entire abolition of this horrid and peculiar practice.

Camp,
8th July 1816.

I have, &c.
(signed) *F. D. Ballantyne*, Assistant.

RESOLUTION.

THE Governor in Council does not approve of Captain Carnac's entertaining an establishment for the purpose of suppressing female Infanticide, which, even admitting its formation to be essential to effecting that desirable object, we are not at liberty to sanction without the authority of the Honourable Court; nor does it appear advisable to adopt the other proposition, of defraying the expenses of the marriage of the children of a Jahrejah.

Captain Carnac must therefore be informed that neither of his propositions are admissible, especially the last, because, if the Honourable Court should undertake to defray the expense of the nuptials of the female children of one of the Jahrejahs, the rest of the fraternity would expect the same consideration, to which they would be equally entitled with the Rajah of Moorvee; the introduction of such a practice, independently of the great expense attending it, would also be liable to be abused.

The Governor in Council is desirous, however, to be informed what would be the probable amount of the expense attending the marriage of a female of this class, in case the Honourable Court should view the subject in a different light, and should authorize the incurring it on the present, or on any future occasion.

With respect to the retaining the establishment suggested by Lieutenant Ballantine, Captain Carnac is to be instructed to acquaint him that his proposition cannot be sanctioned, and to be called upon to report when the mehtas were employed by the native governments, as alluded to by Lieutenant Ballantine, as also the causes which led to the discontinuance of that establishment. Captain Carnac is at the same time to be required to exert his utmost vigilance in ascertaining how far the engagements entered into by the Jahrejahs with Lieutenant Colonel Walker have been fulfilled; and on discovering any breach of such engagements he should rigorously enforce the penalties. Had the annual reports required by the instructions of Government of the 31st of March 1808, been regularly attended to, the chieftains would have observed a continued anxiety on the part of the British Government to enforce the engagements they had contracted; and the formation of those reports would also have led to a spirit of inquiry, and ensured in a certain degree the fulfilment of those engagements, inasmuch as it would have proved to the chieftains of Kattywar the anxiety felt by the British Government on the subject. The Governor in Council relies on Captain Carnac's attention to the regular transmission of those returns in future; and if, as directed in the last paragraph of the instructions adverted to, no measures have been "concerted with the Guicawar government in respect to the best means for obtaining periodical notices of the operations, making it also a rule to submit (exclusive of such intermediate reports as may become necessary,) one general statement on the last day of each year, how far the amended system has been acted on, and observed; what deviations are known, or suspected to have been made from its rules; and what measures pursued for their enforcement; the whole to be accompanied with an estimate of the number of lives that may under the blessing of Divine Providence be thus ultimately saved to the community." Captain Carnac will immediately enter upon a consideration of this extremely interesting subject with the Guicowar government, and report the result to the Governor in Council.

If penalties to any extent should be recovered, it will then be matter for consideration how far the sum thus raised should be rendered applicable to the affording assistance to any of the Jahrejahs who may stand in need of such assistance, in the manner contemplated by Colonel Walker, in his Report of the 15th of March 1808, nor is the Governor in Council aware that any application of it would be more creditable to the national character.

In respect to the prevalence of Infanticide in Kutch, the attention of Captain Mac Murdo is to be called to it, and his exertions required in endeavouring to put a stop to it, taking care to introduce the subject with that degree of delicacy which may not be offensive to the prejudices of its inhabitants; and if not immediately to be effected, to look to a gradual abolition of a practice which by being so long established may be difficult to be at once relinquished. As the practice in Kattywar is not connected with any religious feelings, "the Governor in Council is desirous of being particularly informed if it be so within the province of Kutch, as, inferrible from an expression made use of in the 4th paragraph of Captain Carnac's letter, the custom in Kattywar was followed" through selfish and mercenary motives; and its abolition was represented by Colonel Walker as one of the most popular acts of the Company's Government in Guzerat, even with the Jahrejahs themselves. The Governor in Council entertains, therefore, every hope that by judicious management Captain Mac Murdo may prevail on the chieftains of Kutch to abandon this abominable practice. No time could be more advantageous for his preferring his application, considering the pecuniary concessions which the British Government have made to the State of Kutch; and he is authorized to inform the Rao that he could not make a more acceptable return than by following the praise-worthy example of the chieftains in Kattywar, in engaging to promote the highly interesting object of abolishing he inhuman custom of female Infanticide.

Ordered, that copies of the despatch from the Honourable Court, dated the 15th March last, be forwarded to Captains Carnac and Mac Murdo; the impressive injunctions therein contained on the subject of female Infanticide superseding the necessity of any instructions being issued to those officers in addition to the one already in their possession.

[*Signed a Letter to the Honourable the Court of Directors, dated the 16th inst.*]

[*Sent the following Letters.*]

(No. 2.)—Political Department.

Captain J. R. Carnac, Resident at Baroda.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your despatch, dated the 18th of last month, on the subject of female Infanticide.

2. The Governor in Council does not approve of the proposition submitted by your assistant Captain Ballantine, to entertain an establishment for the purpose of suppressing that practice; which, even admitting that it was essential to the object, could not be sanctioned without the authority of the Honourable Court; nor does it appear advisable to adopt your suggestion to defray the expenses of the marriage of the daughters of the Moorvee Thakore.

3. The precedent that would be established by undertaking to defray the latter charge would lead the rest of the fraternity to expect the same consideration, to which they would be equally entitled with the Rajah of Moorvee; the introduction of such a practice, independently of the great expense attending it, would be liable to be abused.

No reply has yet been received, July 1817

4. The Governor in Council is desirous, however, to be informed what would be the probable amount of the expense attending the marriage of any female of this class, in case the Honourable Court should view the subject in a different light, and should authorize the incurring it on the present or on any future occasion.

No reply has yet been received, July 1817.

5. With respect to retaining the establishment suggested by Captain Ballantine, you will acquaint that officer that his proposition cannot be sanctioned; and you will call upon him to report when the mehals were employed by the native government, as alluded to by him, as also the causes which led to the discontinuance of that establishment. You are required to exert your utmost vigilance in ascertaining how far the engagements entered into by the Jahrejahs with Lieutenant Colonel Walker have been fulfilled; and on discovering any breach in such engagements you should rigorously enforce the penalties.

6. I am on this occasion instructed to remark, that had the annual reports required by the instructions of Government of the 31st March 1808, been regularly attended to, the chieftains would have observed a continued anxiety on the part of Government to enforce the engagements they had contracted, and the formation of those reports would also have led to a spirit of inquiry, and insured, in a certain degree, the fulfilment of those engagements, inasmuch as it would have proved to the chieftains of Kattywar the anxiety felt by the British Government on the subject; the Governor in Council relies on your attention to the regular transmission of those returns in future; and if, as directed in the last paragraph of instructions adverted to, no measures have been "concerted with the Guicowar government, in respect to the best means for obtaining periodical notices of the operation of the obligations, making it also a rule, to submit (exclusive of such intermediate reports as may become necessary) one general statement on the last day of each year, how far the amended system has been acted on and observed; what deviations are known or suspected to have been made from its rules; and what measures pursued for their enforcement; the whole to be accompanied with an estimate of the number of lives that may, under the blessing of Divine Providence, be thus ultimately saved to the community." You will immediately enter upon a consideration of this extremely interesting subject with the Guicowar government, and report the result to the Governor in Council.

7. If penalties to any extent should be recovered, it will then be matter for consideration how far the sum thus raised should be rendered applicable to the affording assistance to any of the Jahrejahs who may stand in need of such assistance, in the manner contemplated by Colonel Walker in his report of the 15th March 1808; nor is the Governor in Council aware that any application of it would be more creditable to the national character.

8. In respect to the prevalence of Infanticide in Kutch, the attention of Captain Mac Murdo has been called to it in the terms of the enclosed copy of my letter to him of this date.

9. I have also the honour to enclose the copy of a despatch from the Honourable Court, dated the 15th of March last, on the subject of female Infanticide, the impressive injunctions contained in which supersedes the necessity for any instructions being issued to you in addition to those already in your possession.

I have, &c.

Bombay Castle,
16th August 1816.

(signed) *F. Warden*,
Chief Secretary.

POLITICAL DEPARTMENT.

To Captain James Mac Murdo, Resident at Bhooj.

Sir,

1. REFERRING you to the 23d para.* of my letter to the Resident at Baroda, dated the 15th November last, in respect to the suppression of the practice of female Infanticide within the province of Kutch, I am directed by the Right Honourable the Governor in Council to transmit to you the copy of a letter from Captain Carnac on the subject, and of my reply under this date.

2. I have been instructed on this occasion to call your attention to those instructions, and to require that you will exert your endeavours to put a stop to that practice within the province of Kutch; taking care to introduce the subject with that degree of delicacy which may not be offensive to the prejudices of its inhabitants; and if not immediately to be effected, to look to its gradual abolition, which by being so long established may be difficult to be at once relinquished.

3d. As the practice is not in Kattywar connected with any "religious feelings," the Governor in Council is desirous of being particularly informed if it be so within the province of Kutch, as, inferrible from an expression made use of in the 4th paragraph of Captain Carnac's letter, the custom in Kattywar was followed through selfish and mercenary motives; and its abolition was represented by Colonel Walker as one of the most popular acts of the Company's Government in Guzerat, even with the Jahrejahs themselves, the Governor in Council entertains therefore every hope, that by judicious management you may prevail on the chieftains of Kutch to abandon this abominable practice; no time would be more advantageous for your preferring your application, considering the pecuniary concessions which the British Government has made to the State of Kutch; and you are authorized to inform the Rao that his highness could not make a more acceptable return than by following the praise-worthy example of the chieftains in Kattywar, in engaging to promote the highly interesting object of abolishing the inhuman custom of female Infanticide.

4. I have also the honour to enclose the copy of a despatch from the Honourable Court, dated the 15th of March last, on the subject of female Infanticide, the impressive injunctions contained in which supersedes the necessity for any instructions being issued to you in addition to those already in your possession.

I have the honour to be, &c. &c. &c.

Bombay Castle,
16th August 1816.

(signed) *Francis Warden*,
Chief Secʸ. to Govᵗ

* Vide Quotations, page 8.

Extract Bombay Political Consultations; 9th October 1816.

Read the following letter from the Resident at Baroda to Mr. Chief Secretary Warden; dated the 16th ultimo,

Sir,

1. I have the honour to acknowledge the receipt of your despatch dated the 16th ultimo, enclosing the copy of a letter from the Honourable the Court of Directors, dated the 15th of March last, on the subject of female Infanticide, and the copy of a letter addressed by you to Captain Mac Murdo, in regard to the prevalence of that practice in Kutch.

2. The Right Honourable the Governor in Council having called on the Resident at Bhooj to give his attention to the subject of Infanticide in Kutch, I shall confine my observations to Kattywar, and only here remark, in regard to Kutch, that whatever may have been the origin of the destruction of female children by the Jahrejahs, it was considered by the present race, till Colonel Walker promulgated a passage to the contrary from their sacred books, to be permitted by their religion. The ignorance of the Jahrejahs themselves, and the blind obedience which they yielded to the instructions of their spiritual guides, prevented any information being given, or curiosity excited, regarding the practice of their caste. They remained contented that it distinguished them from the rest of their countrymen, and boasted of a custom which among more civilized tribes would have rendered them infamous. Colonel Walker states, that the first instance of Infanticide is said by the Jahrejahs to have been sanctioned by the order of the spiritual teacher, who took the sin on his own head; that the scruples of religion and conscience were lulled and quieted by the ideal security of another race being responsible for the crime.

3. The humanity of the British Government in endeavouring to suppress this horrible practice has been acknowledged by the whole country, and it has formed a constant part of my duty to enjoin the Guicawar commander, and my assistant in Kattywar, to be careful in observing those Jahrejahs who had bound themselves to renounce it. The accounts which I have been able to obtain are neither commensurate with my own expectations, nor with those of Government and the Honourable Court.

4. In 1812, during my employment in the negotiations at Noanuggur, Witul Rao, Dewanjee, in the hopes of satisfying my inquiries, established several mehtahs in the principal Jahrejah towns, with instructions to communicate the birth, preservation, or murder of female children, as soon as they received information of such occurrences. But the jealousy with which these men were regarded rendered their exertions nearly abortive; and while no Jahrejah would himself communicate the condition of his wife, they found it in vain to ask for information from his neighbours. The duties of these mehtas were of that unquestionable nature that gives general dislike, and were likely to produce a feeling of opposition that would defeat all their inquiries. It was to the establishment of these men that Captain Ballantine alluded in his letter to me of the 8th of July last. They were withdrawn when the Paishwa resumed his rights in Guzerat, for the reasons stated in Captain Ballantine's letter. That gentleman probably supposes, that though such officers could gain little information, their presence operated as a check, and made the fear of discovery tend to the abolition of female Infanticide; and it seems reasonable to think that it should have this effect. No better plan having yet been devised, Captain Ballantine has only done his duty in recommending to the adoption of Government that which seemed to him the best fitted for the object in view.

5. Considering the little apparent advantage that has been gained by the Dewanjee's mehtas being stationed where they were, I felt diffident in recommending to Government the adoption of a measure which showed so little prospect of success, or in submitting any new plan which must in a great measure be speculative, and probably when tried little successful. I am sorry also that it has hitherto been entirely out of my power to concert any practical plan with the administration at Baroda, by which I could promise myself the satisfaction of making an annual report on the success of Colonel Walker's measures. But at the same time I hope the Right Honourable the Governor in Council will not consider my exertions in the cause of humanity to have been remiss, merely because the means hitherto used have been inadequate for arriving at a knowledge of the domestic transactions of upwards

of 5,000 families, particularly interested in concealing their actions. I also beg leave to assure Government, that the expense attendant on any feasible plan would not have deterred me from proposing it both to the British and Guicawar Governments; sensible that the liberality of the former is equal to its humanity, and that I should have met no reluctance on the part of the latter to come forward in so charitable an affair.

6. Influenced by these sentiments, and convinced that there exists at present no means of rendering Government any satisfactory report on the practice of Infanticide in Kattywar, I submit with deference the following observations on a new method of obtaining information of the destruction of female infants, and shall be happy to gratify my own feelings by carrying that or any better plan which the wisdom of Government may devise, into effect.

7. We may consider that every attempt to arrive by direct means to a knowledge of the practice of Infanticide has been, and will be, unsuccessful. Few men in any country will, without reward, accuse another of an act considered by the ruling power as a crime, but which is looked on by themselves and their companions without horror, or with approbation. If they did inform, it would be probably found that they were actuated by a spirit of revenge, and not of justice. This observation is very applicable to the natives of India generally, and particularly so to those among them who practise those cruel religious observances which demand the appearance of solemnity and mystery, and which impose on the ignorant an impressive notion of the sanctity of their institutions. Any native not inspired by a deep-rooted enmity would therefore most probably hesitate before he would accuse his neighbour of an action deemed criminal by the Government, but wearing an appearance of divine approbation, and said to be practised by the caste from remote antiquity. Though he can have no doubt, if he belonged to another caste, of the humanity of the Government which considered Infanticide a crime, yet, as Colonel Walker justly remarks, "the Hindoos, with a facility proportioned to their credulity, generally ascribe their peculiar institutions to a divine origin; and by connecting their observance with religious duties they have passed inviolate through many ages." It would be difficult to make a Hindoo conscious that in aiding the exertions of Government he was also not opposing the will of the gods. Even if there were no prejudices of this description, the trouble which it would be necessary to impose on an informer, in order to make him prove his assertions, would deter any but an enemy from stating what he knew.

8. The Jahrejahs, though proud, are like, the other native of India, very avaricious. The object which could not be gained by speaking to their feelings might be effected by working on their disposition. The reward of a hundred rupees to him who could satisfactorily establish in another the perpetration of Infanticide might bring to light numerous circumstances of which we now remain in ignorance. Nor would the expense of such remunerations fall on either the Native or British Governments. By the bond to which the Jahrejahs have subscribed they have rendered themselves liable to punishment at the will of the Sircar, and it could not be considered a severe punishment to insist on the payment of a fine which would more than defray the charges attendant on receiving the information of their guilt. It may not be deemed irrelevant to furnish Government with what I conceive an adequate scale of rewards and punishments; an informer against the Jam should receive 1,000 rupees; against the inferior Rajahs 500; against their near relations 250; and against a poor Jahrejah 100. The Jam if proved guilty should be fined 30,000 rupees; an inferior Rajah 10,000; their near relations 2,500, and a poor Jahrejah as much as he could pay without ruin.

9. The difficulty of inducing any one to come forward against so powerful a man as the Jam renders it necessary that his reward should be liberal, which for the sake of example it is desirable that a person in his high station should be detected and severely punished. Whatever are the practices of the chiefs will also be those of the Byaud. The pride of the lower Jahrejahs is to support the customs of their clan, and to follow the steps of their great relations in every act. We can never therefore expect the practice of Infanticide to be fairly laid aside till the principal Jahrejahs are either induced or forced to set the example; I have therefore stated the reward of the informer against the Jam, and the punishment of that chieftain, at a high rate.

10. The very alarm which the promulgation of the plan of rewarding informers would excite might greatly tend to occasion the preservation of many female infants.

PART III. Rajpoots, 1808—1820.

Aware that no feelings of kindness, of religion, or of general interest for the caste, could induce a poor Jahrejah to resist the temptation of reward; every man would be afraid of his neighbour and his domestic; while there must be many, not of the Jahrejah tribe, who are informed of the state of their families, and who can therefore gratify their avarice with less dread of censure.

11. The advantages of this plan, however, are opposed by disadvantages; and these would grow into an evil of some magnitude to the whole body of the Jahrejahs unless provided against at the first outset. The hopes of reward might induce many to bring forward false accusations, and also such as might have an appearance of validity, without being grounded on fact. The informer should therefore be bound to give proof for the specific information which he brings, under pain of being severely punished if his information should turn out to be false. The only accounts which it seems probable an informer could bring, appears to be, that he knew of the pregnancy of a certain Rajpootanee, and that the event was never published to the community. Should the issue have been a female child, and it had died, it would require some discrimination on the part of the person investigating information to determine whether the child might not have been still-born, or died shortly after its birth. In either of the last-mentioned cases that informer should receive no more than a third of the reward. But if it should so appear that the Jahrejah's wife against whom the accusation is preferred, had not been pregnant, or had suffered an early abortion of her offspring, the accuser should be punished rigorously, or otherwise, according to the circumstances of the case.

12. The evils of goindas in respect to the Jahrejahs cannot, I presume, be felt in any degree to the same extent as they are in Bengal. The information which they are required to yield admits of circumstantial proof, and is not like that concerning robberies and murders frequently dependent on presumptive proof, and it is consequently not likely to be given but when there exists, or have existed, some undeniable, and in some measure, public, grounds for its being true.

13. I propose this plan with much deference to the wisdom of the Right Honourable the Governor in Council, sensible that it may appear better in theory than it may prove to be good in practice; but I am at the same time hopeful that it may be better than no plan at all, in rendering the exertions of my predecessor a permanent benefit to the country. I beg to assure the Right Honourable the Governor in Council that I require no stimulus to exert myself in this cause of humanity, since nothing would give me greater gratification than to have the self satisfaction of reflecting that I had been instrumental in accomplishing so philanthropic an undertaking. But Government must be aware that my success is entirely dependent on subordinate agents, nearly as far removed from me as I myself am from the seat of Government; and that whatever interest I may take in the subject, my individual exertions can be of no further use than in stimulating them to a zealous attention. I have every reason to believe that neither Captain Ballantine nor the Dewanjee have been less active than the most humane man could wish, but the means in their power were not fitted to enable them to command success.

14. The expense of marrying the daughters of the chiefs of Kattywar would probably be as follows; the marriage of the Jam would amount to 30 or 35,000 rupees; that of the daughter of a minor Rajah, such as the Rajah of Moorbee Goondel, and Rajcote, to 15 or 16,000; the daughter of one of the near relations of the Rajah would require from 5 to 7,000 rupees, and that of a poor Jahrejah's daughter from 1,000 to 1,500 rupees.

15. It would evidently be enormously expensive for any Government to defray the charges of marrying even only one daughter to each family, and it might be impolitic to marry that of one person, and not of another. The Moorvee Rajah, however, might be made an exception, since it was he who first saved his daughter; and since it was by his means that Colonel Walker laid the first foundation of the superstructure he afterwards raised. I conceive the Guicowar Government would willingly share with the British Government the expense and the honour of presenting a dowry to the first female child saved from the barbarity of an unfeeling parent.

Baroda,
16th Sept. 1816.

I have, &c.
(signed) *J. R. Carnac*, Resident.

MINUTES; 4th October:—Ordered, that the Resident at Baroda be informed; that the Right Honourable the Governor in Council objects to adopting a system of the nature he has suggested for ascertaining how far the chieftains of Kattywar adhere to their engagements to abstain from female Infanticide, under a persuasion that it would be extremely offensive to the feelings of the Jahrejahs and must, until further orders, trust to the vigilance which he and his assistant can bestow on that object, on which however an annual report, framed from the best data that can be procured, will be expected. Neither can the Governor in Council approve of the plan of portioning the daughters of the Jahrejahs, the expense of which would be to an extent beyond the amount of the fines which can be expected to be recovered.

Extract BOMBAY POLITICAL CONSULTATIONS, 30th October 1816.

Recorded the following Letter from the Resident at Baroda to Mr. Chief Secretary Warden, dated the 12th instant.

INFANTICIDE.

Reply to Mr. Secretary Henderson's Letter, dated the 4th Instant.

Sir,

I HAVE the honour to acknowledge the receipt of Mr. Secretary Henderson's letter, dated the 4th instant, on the subject of female Infanticide, and beg you will assure the Right Honourable the Governor in Council that every means in my power shall be used as heretofore in ascertaining how far the Jahrejah chieftains of Kattywar adhere to their engagements to abstain from this practice. I beg leave to remark, in reply to the observation that the plan I proposed would be extremely offensive to the feelings of the Jahrejahs, that it seems very problematical if any plan that can be devised will not be the same; for since the abolition of Infanticide was a measure pressed on the Jahrejahs contrary to all their feelings and prejudices, I do not see that if they are unwilling to abide by their engagements we can prevent their continuance of the practice, except by a measure contrary to their wishes and feelings. I offer this remark by no means as recommendatory of my own plan, but to point out to Government that any plan which might be brought under discussion can hardly be rejected, merely because the Jahrejahs would not like it.

I have, &c.

Baroda, 12th October 1816. (signed) *J. R. Carnac*, Resident.

Extract of a LETTER in the POLITICAL DEPARTMENT from the Court of Directors to the Governor and Council of Bombay, dated 1st April 1818.

Para. 75. YOUR letter in this department of the 16th August 1816 relates generally to female Infanticide, on which subject we have on many occasions expressed our sentiments and conveyed our instructions.

76. We are fully aware of the difficulties which you have to encounter in attempting the complete abolition of this revolting practice, from the disinclination of the Jahrejahs to discountenance or to inform against those who continue it. Captain Carnac, in his letter of the 18th July 1816, appears to have given the subject his most attentive and deliberate consideration. It would, however, appear, that the object of his exertions has not been accomplished in Kutch, and that, even in Kattywar, where our influence and authority have been strenuously exerted, it cannot be distinctly proved that more than fifteen females had been rescued from destruction. The observation of Captain Ballantine, in his letter of the 8th July 1816, that in his frequent and continued intercourse with the inhabitants of all descriptions and castes in Guzerat, he had no intimation in the slightest degree showing the prevalence of that inhuman custom is satisfactory.

77. We attach considerable importance to the regular preparation and transmission of the annual reports required by the instructions of Government of the 31st March 1808, which will bring to notice the instances in which the Kattywar chieftains fulfil their engagements. We approve of the instructions which were issued to Captain M'Murdo, the Resident at Bhooj, on the 16th August 1816, requiring

him to exert his endeavours to put a stop to the practice of Infanticide within the province of Kutch.

78. With respect to the proposition for maintaining an establishment of Guzerattee writers, as a more efficient means under our own immediate supervision for effecting that object, we conceive that the objections stated by Captain Carnac, in his letter of 16th September 1816, are conclusive against the expediency of adopting it; and we concur with you in the propriety of rejecting the plan of granting pecuniary rewards to informers, since its adoption would not only prove extremely offensive to the Jahrejahs, but create new evils which it might be very difficult to remedy.

79. The inveterate feeling of family pride in which this detestable practice has its origin, can perhaps only be expected to yield to cautious but unremitting efforts to bring it into disrepute; and we derive great satisfaction from observing in Captain Carnac's interesting report of the 18th July 1816, that an important step towards the accomplishment of this humane object had been made in Kattywar, in so far that the preservation of female children is not now considered as disgraceful to the families which have given this laudable example; and as it is stated in your resolution of 16th August 1816, that female Infanticide is not connected by the Jahrejahs of Kattywar with any religious feelings, and that the abolition of the practice was very popular in Guzerat, we trust, that by exacting the legal penalties in all cases where the Jahrejahs shall be detected in violating their engagements, and publicly marking with your special approbation every striking instance of honourable adherence to those engagements, you may eventually be enabled to bring the practice of female Infanticide into general disuse and abhorrence.

80. With this view, although we do not feel ourselves at liberty to go to the extent of defraying the expenses of the nuptials of the two daughters preserved by the Rajah of Moorvie, as it might be drawn into an inconvenient precedent, we readily adopt your suggestion, of testifying our sense of the Rajah's meritorious example by authorizing you to present him, in the name of the Court of Directors, with some suitable ornament for his dress, leaving the selection of it to your judgment.

Extract of a LETTER from the Governor in Council of Bombay to the Court of Directors in the POLITICAL DEPARTMENT, dated 20th December 1817.

Consultations, N° 43, 9th October 1816.
Consultations, N° 41, 24th Sept. 1817, fol. 3368 a' 3385.
Consultations, N° 48, 22d October.

140. YOUR Honourable Court will perceive, on a reference to the proceedings mentioned in the margin, that since we had the honour of addressing you on the subject of female Infanticide, in our letter of 16th August 1816, we have been unable to adopt any effectual means of extinguishing that inhuman practice; and we are obliged to add, that the propositions submitted to us for our consideration, with a view of discovering how far the Jahrejah chieftains adhered to their engagements have been abandoned, under the persuasion that they would prove extremely offensive to their feelings.

141. To the last report from the assistant to the Resident at Baroda, on this subject, we particularly wish to draw your attention, as submitting a register of the Talookas in Kattywar, where the Jahrejahs reside, and showing how many female children have been saved (with the names and places of abode of the parents) since the introduction of Colonel Walker's arrangements, accompanied by his observations on the register, and in regard to the adoption of measures which might be calculated to root out the evil.

142. The report of Captain Ballantine, whilst it affords satisfactory proof that sixty-three female children had been preserved by our interposition, exhibits a melancholy picture of the almost universal continuance of the horrid practice, and to an extent beyond what we had anticipated.

143. It is observable, that the preservation of no more than the above small number of children can be established throughout the Talookas specified by Captain Ballantine, where it is concluded the number of Jahrejahs must be very considerable; since Draffa alone contains 400 families; nor can it escape your attention that the Jahrejahs enumerated as having preserved their female children, have saved only one of the number that must have been born according to the ordinary course of nature.

144. The influence which the cession of the Paishwa's tribute from Kattywar will afford to the British Government over that part of Guzerat, will, we trust, enable us to secure a more rigid adherence to the engagements of the Jahrejahs; and the Resident at Baroda has been directed to depute Captain Ballantine to inform them of our determination to enforce the penalties whenever a breach of their engagements can be established; and to withhold our countenance from those who shall continue to follow this inhuman custom.

145. We apprehend that your Honourable Court will be equally disappointed when you peruse the melancholy statement of Captain Ballantine, and be ready to afford every reasonable degree of encouragement to such of the Jahrejahs as may abandon the practice.

146. Whilst we feel the strongest inclination to accede to any plan which would tend to its suppression, we are not aware that any can be adopted beyond the distribution among those who shall adhere to their engagements of the amount of the fines which may be levied on others, without incurring a very heavy charge on the public.

147. To station spies in every town or village would be incurring a large expenditure, without, perhaps, securing the object desired; and the measure of authorizing an establishment for that purpose is particularly objectionable in principle.

148. The consideration of Captain Ballantine's plan will again be resumed before we finally decide on what course may be most advisable to be adopted; considerable lights may however be expected to be thrown upon the subject by the result of the agency of the collector of the Zillah west of the Saburnulty, in realizing the tribute ceded to us by the Paishwa, which, with the more frequent intercourse that must take place between the revenue officers and the chieftains of Kattywar, and the more intimate knowledge and views which that intercourse must afford, of the nature and object of our humane interposition, will, we trust, operate more effectually to an early extirpation of female Infanticide than any engagements we can enter into, or any penalties we can impose. But notwithstanding the advantages thus contemplated, we shall not relax in imposing any subsidiary aids towards the accomplishment of an object so desirable, whenever they can be resorted to with effect.

Extract Bombay Political Consultations; 24th September 1817.

READ the following Letter from the Resident at Baroda to Mr. Chief Secretary Warden; dated the 28th of August, with Enclosures.

Sir,

Para. 1. I HAVE the honour to forward, for the information of Government, the accompanying copy of a letter from my assistant in Kattywar, with its Enclosure, on the subject of female Infanticide.

2. I am not sensible of the necessity of offering any observations to the Right Honourable the Governor in Council on the voluminous remarks of Captain Ballantine, particularly as the substance of the recommendations from that gentleman have been formerly discussed in my despatches to the Honourable Board, and received its decision on their present inapplicability.

3. The register of Jahrejahs forwarded by my assistant is a useful document for future reference, and I conclude it must be correct from the pains taken to acquire the information.

I have, &c.

Baroda,
28th August 1817.

(signed) *J. R. Carnac*, Resident.

(1.)—Captain J. R. Carnac, Resident at Baroda.

Sir,

1. In conformity with the commands of the Honourable Court, and those of the Governments in India, communicated in your several despatches, as dated in the margin, my attentions have since been directed to obtain the best possible data to be procured on the humane and interesting subject of the Infanticide engagements contracted with the Jahrejahs of the Peninsula by Colonel Walker in his first circuit in Kattywar.

Dated 16th Sept. 1816. 4th Oct. — Mr. Secretary Henderson's Letter from.

2. In handing up the accompanying complete register of all the Jahrejahs known in Kattywar, I have the satisfaction to think it will be acceptable, as I believe it is the first paper of the kind that has yet been obtained, and the more especially as it will form the best basis and data on which to watch with better effect, it is to be hoped, the progress of an institution which appears to have excited uncommon interest and astonishment wherever its extraordinary history has reached and been promulgated, and at the same time the most decided attention of our Governments at home and abroad, so as to introduce, by every possible means, the best practicable prohibition to the practice of the most unparalleled crime; the systematic murder by parents of their own children.

3. No additional facts are wanting to elucidate the too fatal progress of this peculiar and abominable custom; but the indisputable proofs of this ample document give a melancholy evidence that our measures or means have yet been insufficient to give all the effect and check to the possible secret commission of the crime, under inherent prejudice, so much to be desired; it must, on the contrary, be received as an indubitable testimony that sixty-three female offsprings saved bear no proportion to the probable population of the Jahrejahs in the Peninsula, during the long period of ten years.

4. Indeed I too much fear the object of our interference for the suppression of this singular custom has too generally failed for us to select any individual party for the just vengeance of Government, and offended nature. I venture to repeat, the means I* recommended were both desirable and eligible in many points of view, and, in my humble apprehension, calculated to have obtained us actual instances of individual criminality, and no doubt to have followed up with greater effect the prohibitory nature of the solemn compacts the Jahrejahs entered into with us, to discontinue the systematic murder of their female offsprings.

* See my Report, dated 8th July 1816.

5. In regretting the cause of the apprehension submitted in the preceding paragraph, it is only necessary to recal to the recollection of Government, that we have hitherto, and have still, to depend on the native governments and authorities for the only information to be obtained, or essential attention to the enforcement of the stipulations of our engagements. I beg to say, I conceive the party entitled to every consideration and praise; but it will hardly be expected that the native governments have continued to view the progress and success of their engagements with an equal solicitude, and therefore that the encouragement to its officers has not been such as to answer our expectations.

See Mr. Secretary Henderson's Letter, dated 4th October 1816.

6. From these causes it is possible the result of our measures have not been such as we might have hoped; and if the power to enforce has been in any degree lax, it may in an equal degree palliate the offence of the Jahrejahs, in many cases driven also from the better feelings of a parent by slur and reproach. I could wish to avoid, therefore, drawing the attention of Government to any particular instance, but there are some Talooks where the fact is so presumptuously glaring that it is impossible to avoid observation: instance the Talooka of Drafa, where, out of a reputed number of 400 families there is not one single female child in existence; and the Talooka, as if visited by the just vengeance of Heaven, is at the last stage of poverty and distress.

7. It may not be irrelevant to notice, as an anecdote elucidatory of these facts, that a few days ago, as the Thamors of Drafa were compromising their revenues to the Paishwa with me, I took occasion to interrogate them; when, after a little persuasion, the elder brother replied, with the greatest *sang froid*, that he had himself certainly murdered two daughters, but of course that it was previous to Colonel

Walker's engagements; and that I should no doubt be surprised, that in the intermediate period of ten years not one female child had been born to any of the numerous Byauds.

8. It is also worthy of observation, that if the practice and prejudice is still cherished in the sister province of Kutch, we may so long fear a latent predilection in this quarter; a feeling that will always, more or less, operate to the disadvantage and disparagement of the humane views of the British Government.

9. From the voluminous papers before me the British Government seems to desire the abolition of this singular custom with equal interest and solicitude; and that probably, through its wisdom and recommendation, the Honourable Court will eventually sanction the adoption of measures better calculated to root out the evil; for might not the expense and responsibility, and our active supervision, I with deference submit, be with strict policy and justice made chargeable to the government who alone derive any percuniary or real advantage from the country, and of course should be equally interested in the first dictates of humanity, and in the annihilation of customs offensive to all religions, and degrading to human nature in general?

A proclamation might be issued to the effect.

10. If it shall at any period be the policy of Government to add other inducements to their prohibitory engagements, I, with deference, conceive none better calculated than those recommended by you to its consideration. I have had the opportunity to notice what would be the feeling excited by such an act of magnanimity on the part of the British Government in extending a pecuniary aid, to the end of affiancing the daughters of the Jahrejahs saved to the community by its benign interposition.

11. A more general or recent review, however, of the declining and unprosperous state of the country in general, but, perhaps, more particularly affecting the Jahrejah race, will satisfy you, that we should scarcely obtain funds to the extent that might otherwise be expected in the enforcement of fines in cases of individual delinquency, and that therefore the disbursements of gratuities to the full extent submitted might be objectionable and detrimental to the public revenues; these gratuities might possibly therefore be apportioned in a degree more commensurate with the means to be provided, and still (I have reason to understand) be equally operative to the beneficial objects to which they are directed.

12. In the mean time we have to await the ultimate decision of the Right Honourable the Governor in Council for the adoption of such measures as may in his wisdom be best calculated to promote the objects to which they are directed, trusting that my present confined means, adapted and incident to his express commands, at my own expense and responsibility, shall have been productive of a result in some degree satisfactory, and such as to claim his future indulgence and consideration for the time present.

I have, &c.

Camp, Balumba, Hadjointoda, 20th June, 1817. (signed) *F. D. Ballantine*, Assistant.

A complete List, or particular Register, comprising the Names, Families, places of Abode, Talookas, &c. of all the Jahrejas at the present day in Kattywar; together with the Age and Number of their Female Offspring saved or now living since the introduction of the Infanticide arrangement by Colonel Walker in 1807 and 1808.

TALOOKAS.	Names of the Parent.	Residence, or Place of Abode.	N°	AGE.	Where Married.
In Moorbee	Jahrejah Jahjee	Moorbee	1	2 years.	
Ditto	Dewajee, his brother	D°	1	4 d°.	
Villages belonging to the Moorbee,					
Madepoor, of D°.					
Surned, of D°.					
Lujyee.					
Bhanalloo.					
Motana.					
Bhella Mota.					
Vowdey.					
Dyeesuroo.					
Rajkote	Rusmuljee	Rajcote	1	4 d°.	
Villages belonging to the Rajcote	Doodajee	D°, his brother	1	3 d°.	
Rajcote of D°	Doodajee	D° d°	1	1 d°.	
Kotarie belonging to the Rajcote	Dassajee	Rajcote	1	1 d°.	
Gurridur, of D°	Morjee	D°, his brother	1	4 months.	
Ladhekoo, of Rajcote.					
Wourey.					
Veerrva.					
Paal.					
Ghutgoo.					
Shapoora.					
Purgunnah Mingvey.					
Thora belonging to D°.					
Endoo D°.					
Ambano D°.					
Pergunnah of Rajpoor	Soorajee	of Rajpoor	1	4 d°.	
Hunmuptijanoo, of D°	Natheojee	D°	1	2 d°.	
Bhadwa, of D°.					
Kotedoo, of D°.					
Veerwal, of D°.					
Punch Tullow, of D°.					
Purgunnah Veerpoor	Dadajee	of Veerpoor	1	2 d°.	
Kheyuryoo	Matabhoye	brother of d°	1	3 d°.	
Kurredee.					
Kheesurroo.					
Gundol	Nuthoobhoy, late Rajah	of Gondul	1	5 years.	
Bhyaud	Hutteebhoy	of D°	1	1½ d°	To the Rajah of Wurdwan.
Loonewow	Naujeebhoy	of D°	1	2 d°.	
D°	Dossabhoy	of D°	1	6 d°.	
Looneywow	Veerajee	of D°	1	2½ d°.	
Hunmunteyalloo	Kessahjee	of D°	1	5 d°.	
Ribra.					
Dhorajee	Kheemonue Jeejeebhoy	of Moroodoo	1	5 d°.	
D°	Sublyee	brother of D°	1	1 yr & 6 m°.	
D°	Singajee	D° D°	1	1 d° - 6 d°.	
Draffa.					
Noanuggur.					
Surodhur, of D°	Ladhoobhoy	of Noanuggur	1	2 years.	
Bhungore, of D°	Suttajee	brother of D°	1	5 d°.	
Momanoo, of D°	Rasojee	Dull	1	5 d°.	
Guvana, of D°.					
Khurba, of D°	Dessuljee	D°	1	6 d°.	
Mokhanoo, of D°	Jahrejah Ravajee	brother of Jeessebhy	1	11 d°.	
Paynehrura.					
Khuridara	Ravuljee	D° of Modejee	1	6 d°.	
D°	Bhomajee	D° of D°	1	7 d°.	
Khumbooroo	Elyajee	D° of Ruvanee	1	5 d°.	
D°	Lingajee	D° of D°	1	4 d°.	
D°	Bhoyejee	D° of D°	1	6 d°.	
Matta Moda	Gujanjee	Mode	1	2 d°.	

TALOOKAS.	Names of the Parent.	Residence, or Place of Abode.	N°	AGE.	Where Matched.
Matta Moda - - - -	Addabhoy - -	Mode - - -	1	3 years.	
Bebide Hummunjoo. - - - -	Meyrajee - - -	D° - - -	1	2 d°.	
Vusthulley - - -	Dessuljee - - -	D° - - -	1	5 d°.	
Khelsoo - - - -	Bhimjee - - -	D° - - -	1	7 d°.	
Choor - - - -	Nuthoobhoy - -	Bhurraimee - -	1	3 d°.	
Megpoor - - - -	Juggojee - - -	Muckabhoy - -	1	20 d°.	- - In the Bhull Pergunnah, and her husband is unable to feed her, therefore she returned to her father's house. Such a case of poverty is truly affecting, and will no doubt claim public attention. There are other instances where the parties in distress appeal for support, and said they would lay their daughters at the Sirkar's door for the purpose.
Chomdralloo Anundpoor. - - -	Babjee - - -	- - - -	1	7 years.	
Vessamoo Salpeperyoo. - - -	Jehajee - - -	Huldare - - -	1	4 d°.	
Munueet Maroodo. - - - -	Dessuljee - - -	D° - - -	1	2 d°.	
Jona - - - -	Nuthojee - - -	Happa - - -	1	11 d°	- - At Gondul.
D° - - - -	Luckajee - - -	D° - - -	1	8 d°.	
D° - - - -	Kandajee - - -	D° - - -	1	6 months.	
Joona - - - -	Kessojee - - -	D° - - -	1	2 years.	
Safoodar - - - -	Morejee - - -	Kana - - -	1	1 d°.	
D° - - - -	Dewabhoy - -	D° - - -	1	1 y. 6 m.	
Rajpoora - - - -	Dajeebhoy - -	D° - - -	1	1 year.	
Vaurey - - - -	Jessahjee - - -	D° - - -	1	6 d°.	
D° - - - -	D° - - -	D° - - -	1	1 d°.	
D° - - - -	Elleyajee - - -	D° - - -	1	10 d°.	
D° - - - -	Kesserjee - - -	D° - - -	1	4 months	
D° - - - -	Kullajee - - -	D° - - -	1	2 years.	
Soosang - - - -	Muckindjee - -	Ruvul Pete - -	1	4 d°.	
D° - - - -	Humeerjee - -	D° - - -	1	6 d°.	
D° - - - -	Gopalljee - - -	D° - - -	1	2 d°.	
Vaurey Chandley. - - - -	Jessahjee - - -	Kana - - -	1	6 d°.	
Kurle Dhrole - - -	Kesserjee - - -	Hyldon - - -	1	2 d°.	
Vunpurey - - -	Vuetajee - - -	D° - - -	1	2 y° 6 m°.	
D° - - - -	D° - - -	D° - - -	1	3 years.	
Sunuseera - - -	Babajee - - -	D° - - -	1	10 d°	- - At Guyawar, in Jhullawar.
Leyalloo - - - -	Jehajee - - -	D° - - -	1	14 d°.	
Rajeya - - - -	Moorajee - - -	D° - - -	1	9 d°.	
Kheejeryoo - - -	Hameerjee - -	D° - - -	1	3 d°.	
Megpoor - - - -	Naghubhoy - -	D° - - -	1	3 d°.	
Sooltanpoor - - -	Addabhoy - -	Huldon - - -	1	2 y° & 6 m°	
Khakherdo - - -	Baroojee - - -	Doongraney - -	1	-	
Bofueko - - -	Sungramjee - -	- - -	1	-	
Gutko - - -	Bhoyjee and Dewajee	D° - - -	1	-	
		Total - - -	63	Females saved.	

N. B.—This List inclusive of all the Jhamfa caste in the Peninsula.

Camp, Ballumba,
20th June 1817.

(signed) *F. D. Ballantine*, Assistant.

Resolutions.

Minutes, 19th September.—The report of Captain Ballantine, whilst it affords satisfactory proof of sixty-three female children having been preserved by our interposition, exhibits a melancholy picture of the almost universal continuance of the horrid practice of female Infanticide to an extent little expected, after the reports of the success generally, but inaccurately, attributed to Colonel Walker's influence and exertions.

It is observable that the preservation of no more than the above small number of children can be established throughout the Talookas specified by Captain Ballantine, where it is concluded the number of Jahrejahs must be very considerable, since Draffa alone contains 400 families; nor can it escape notice, that the Jahrejahs enumerated as having preserved their female children, have saved only one of those that must have been born according to the ordinary course of nature.

The influence which the cessions of the Peishwa's tribute from Kattywar will afford to the British Government over that part of Guzerat, will, it is hoped, enable it to secure a more rigid adherence to the engagements of the Jahrejahs; and the Resident at Baroda is to be directed to depute Captain Ballantine to the Jahrejahs, informing them of its determination to enforce the penalties, whenever a breach of their engagements can be established; and to withhold its favourable consideration from those parties who shall continue to follow this inhuman custom.

The Governor in Council apprehends that the Honourable the Court of Directors will be equally disappointed when they peruse the melancholy statement of Captain Ballantine; and conceives that it will be ready to afford every reasonable degree of encouragement to such of the Jahrejahs as may abandon the practice.

The Governor in Council would feel the strongest inclination to accede to any plan which would tend to its suppression, but he is not aware that any can be adopted beyond the distribution among those who shall adhere to their engagements of the fines which may be levied from the others, without incurring a very heavy expense.

To station spies in every town or village would be incurring a large outlay, without, perhaps, securing the object desired; and the measure of authorizing an establishment for that purpose, with additional emoluments to the assistant, would be very objectionable.

The consideration of Captain Ballantine's plan will however again be resumed before the Governor in Council finally decide on what may be most advisable to be done on the subject.

Extract Bombay Political Consultations, 22d October, 1817.

Read the following Letter from the Resident at Baroda, to Mr. Chief Secretary Warden, dated the 4th Instant.

Sir,

1. I have the honour of acknowledging the receipt of Mr. Secretary Henderson's letter, dated the 19th of last month, in reply to my communication of the 28th preceding, on the subject of female Infanticide.

2. In pursuance of the orders of the Right Honourable the Governor in Council, the necessary instructions have been communicated to my assistant; but it is proper that I should advert to other parts of the despatch under reply, in order to obviate impressions in the minds of the Honourable Board not intended by the communications which have been made by me.

3. With this view, I beg respectively to remark, that in no suggestions for the maintenance of an establishment for the discovery of those Jahrejahs who have immolated their female offspring, am I sensible of having recommended additional emoluments to my assistant, or in the most distant shape to combine the important objects of humanity with any personal advantages whatever. My desire has always been the adoption of some effectual plan, hitherto entirely unheeded, to give effect

to the humane exertions of my predecessor, in the conviction of the utter impossibility of preventing female Infanticide, where the means are confined to the personal influence merely of my assistant in Kattywar. It would be useless to enter upon any discussion in this place on the futility of such means for the preservation of the lives of female Jahrejahs born among some thousand families, after the sentiments on this interesting subject submitted in my despatches of the 18th July, 16th September, and 12th of October in the last year; nor will they afford other than the most satisfactory reasons for the partial failure of the expectations entertained from the influence and exertions of Lieutenant Colonel Walker for the discontinuance of the horrid practice of Infanticide.

4. The Right Honourable the Governor in Council is aware that Lieutenant Colonel Walker, under the instructions of Government, had effected every measure which was calculated to ensure the suppression of Infanticide in Kattywar. That officer had not only obtained the consent of the Jahrejahs to abandon a practice consistent with their dearest feelings and prejudices, but by his influence also contracted engagements adapted to that desirable object.

5. If these engagements have not been fully enforced from their origin, and subsequent to the departure of Lieutenant Colonel Walker to England, and that owing to such relaxation female Infanticide is not entirely extinguished in Kattywar, I presume, with every deference, that whatever success has attended the endeavour to suppress the abominable practice is justly due to the influence and exertions of my predecessor.

6. At the same time the disappointment which has been experienced can be traced exclusively to the want of a system by which a detection of the guilty could be ensured, and not to any indifference on the part of the local officers to the enforcement of the engagements contracted by the Jahrejahs. I have had the honour on several occasions of bringing the subject in the most urgent manner to the attention of Government, and in submitting recommendations on the ways and means for an effectual abolition of Infanticide, have imploied Government to devise any plan which in its wisdom might be efficacious.

7. While my suggestions have been deemed objectionable, no other plan has intermediately been prescribed, and doubtless the want of it is frequently affording the most melancholy evidence of an evasion of the excellent engagements contracted by the influence of Lieutenant Colonel Walker.

8. The deep interest which the Right Honourable the Governor in Council takes in the suppression of female Infanticide compels me again to solicit his early consideration to the subject of my despatches before quoted; and moreover, as the duties which I have to discharge in Kattywar are recently greatly augmented, that he will indulge me with every suitable assistance, by distinct arrangements for the care of our different interests and obligations in that extensive province, which will enable me to provide against any disappointment of my public exertions.

Baroda,
4th October, 1817.

I have, &c.
(signed) *J. R. Carnac*, Resident.

Minutes, 18th October.—In acknowledgment of the preceding letter, it is to be remarked, that as the Resident is aware, that arrangements are shortly to be made with the chieftains of Kattywar for the renewal of the decennial engagement, he will thus be afforded the best opportunity which could occur of communicating with the different Jahrejah chieftains, and of calling upon them to enter into such further securities as may be most effectual for the abolition, as far as possible, of the inhuman practice of female Infanticide, since the engagements obtained by Lieutenant Colonel Walker have proved almost ineffectual.

The Government in Council is fully persuaded that further arrangements are indispensable; and it will be for the Resident to point out, after communicating with the chieftains, those that may be best adapted for the purpose, and to which the chieftains may be led to assent.

Extract of a Letter from the Governor in Council of Bombay to the Court of Directors, in the Political Department; dated 7th January 1819.

Letter from the Court, dated 1st April 1818.

(75 a' 80.) Regarding female Infanticide.—Aware of the difficulties to be encountered in attempting its complete abolition.—Remark as to the object of Captain Carnac's exertions not having been accomplished in Cutch, and the small number of children in Kattywar distinctly proved to have been saved.—Observations of Captain Ballantine, that in his intercourse with the inhabitants he had no intimation showing the prevalence of that inhuman custom satisfactory.—Attach importance to the transmission of the Annual Reports.—Approve of the instructions to Captain McMurdo to exert his endeavours to put a stop to the practice in Cutch.—Proposition for maintaining an establishment in Kattywar of Guzerattee writers for effecting the object, inexpedient.—Concur in the propriety of rejecting the plan of granting pecuniary rewards to informers.—The practice can, perhaps, only be expected to yield to cautious but unremitting efforts to bring it into disrepute.—Satisfaction, that the preservation of female children is not now considered disgraceful to the families which have given the example.—As it is not connected by the Jahrejahs with any religious feelings, and its abolition is popular in Guzerat, trust that by exacting the legal penalties, and marking striking instances of adherence to the engagements, the practice may be eventually brought into general disuse and abhorrence.—The expenses of the nuptials of the two daughters preserved by the Rajah of Moorvee cannot be sanctioned, but authorizes a present to him in the name of the Court.

Para. 48. The remarks and instructions conveyed to us in these paragraphs will meet with our utmost attention: we have communicated them to the Resident at Baroda for his information and guidance, calling his particular attention to the preparation and transmission of the Annual Reports, to which your Honourable Court attach so much importance. We refer your Honourable Court to our subsequent advices on the subject of female Infanticide, contained in our letter of the 20th of December 1817.

Extract of a Letter from the Court of Directors to the Governor in Council of Bombay, in the Political Department, dated 1st March 1820.

Letter from the Government of Bombay, dated 20th Dec. 1817.
(140 to 148.) Communicate the failure, to a great extent, of the means which have been employed for the suppression of female Infanticide in Kattywar.

74. We have learned with great pain that your humane endeavours to accomplish the suppression of the barbarous and unnatural practice of female Infanticide in the Peninsula of Kattywar have hitherto proved to a great degree unsuccessful, notwithstanding the engagements which were contracted by the Jahrejah chiefs of that province in 1807 with Colonel Walker, to abstain from the commission of that offence.

75. The register appended to the report of the assistant to the Resident at Baroda, under date the 20th June 1817, shows that the lives of only sixty-three female infants have been saved in consequence of your interposition in the course of ten years, a number extremely disproportionate to the number which must have been born within that period. Indeed the facts stated by Captain Ballantyne, that in the Talooka of Drafa, which contains 400 Jahrejah families, there is not a single female child in existence, and that in no family has more than one female child been preserved, demonstrate the inveterate prevalence of this horrid custom.

76. However mortifying may have been the result of your past endeavours, we are persuaded that you will not allow it to operate as a discouragement to further and persevering efforts in the same cause. We think you may do much by addressing yourselves to the interests of the Jahrejahs, and the renewal of the decennial engagements with the Kattywar chieftains will have furnished you with an opportunity of calling upon them to enter into fresh engagements, under proper securities, to abandon the practice in question. We are not without hopes also that the additional influence which we acquired in that part of Guzerat by the cession of the Paishwah's tribute, may, if judiciously exercised, be the means of enabling you to enforce a stricter adherence to their engagements on the part of the Jahrejahs.

77. We entirely approve of the measure of distributing among those who observe their promises the fines which may be levied upon those who violate them.

Extract of a Letter from the Governor in Council of Bombay to the Court of Directors in the Political Department, dated 9th August 1820.

Letter from the Court, dated 1st March 1820.
(74 a' 77.) Regret expressed at the failure of the endeavours for the suppression of female Infanticide.

Para. 444. Copies of these paragraphs have been furnished to the Residents at Baroda and Cutch, with directions to the former to communicate copies to the agents in Kattywar, in order that their attention may be directed to the accomplishment of an object in which the Government, equally with your Honourable Court, take so deep an interest.

445. Your Honourable Court will learn with satisfaction that by the 17th Article of the Treaty with Cutch, the practice of female Infanticide has been formally renounced in that province.

Extract of a Treaty of Alliance between the Honourable East India Company and his Highness Maha Raja Mirza Rao Shri Desserljee, his heirs and successors, conlcuded by Captain James M^cMurdo on the part of the Honourable Company, and by Jhargas Purthirajjee, Vijerajje Meramajee, Pragjee, Pragiee Mokajee, Allyajee Nonghunjee, Bhaujee, and Jeynuoljee, by virtue of full powers from their respective governments, dated 13th October 1819.

Article 16. The Honourable Company engages to exercise no authority over the domestic concerns of the Rao, or of those of any of the Jahrejah chieftains of the country. That the Rao, his heirs and successors, shall be absolute masters of their territory, and that the civil and criminal jurisdiction of the British Government shall not be introduced therein.

Article 17. His Highness the Rao, his heirs and successors, at the particular instance of the Honourable Company, engage to abolish in their own family the practice of Infanticide; they also engage to join heartily with the Honourable Company in abolishing the custom generally throughout the Bhyaut of Cutch.

Article 18. Previously to the execution of the deed of guarantee in favour of the Jhareja Bhyaut according to the tenor of the 16th Article, a written engagement shall be entered into by them to abstain from the practice of Infanticide; and specifying, that in case any of them do practise it, the guilty person shall submit to a punishment of any kind that may be determined by the Honourable Company's Government and the Cutch Durbar.

Extract Bombay Political Consultations, the 2d February 1820.

Read the following Letter from the Secretary to the Supreme Government, to Mr. Chief Secretary Warden, dated the 4th of December.

Sir,

I have the honour to transmit a ratified copy of the treaty with Cutch.

I have, &c.

Fort William, 4th December 1819. (signed) *C. T. Metcalfe*, Sec^y to the Gov^t.

Minute, 27th January.—Ordered, That the ratified treaty be transmitted to the Resident at Bhooj, to be interchanged with the Cutch government.

Extract of a Letter from the Court of Directors to the Governor General in Council of Bengal in the Political Department; dated 13th Nov^r 1822.

49. We shall be much gratified to hear that the stipulations contained in the 17th and 18th articles relative to the abolition of the practice of Infanticide have been observed. We are not, however, very sanguine in our expectations on this head, unless these stipulations are enforced by interference on the part of the Resident, which would not be reconcileable with our engagement in the 10th article, "to exercise no authority over the domestic concerns of the Rao, or those of any of the Jharejah chieftains of the country."

Extract of a Letter from the Governor in Council of Bombay, to the Court of Directors in the Political Department, dated 29th August 1821.

50. There is one point of great interest, in which we are clearly entitled to exercise the right of general superintendence, and in respect to which your Honourable Court has expressed so much solicitude: This is in checking the crime of female Infanticide, and in imposing the fines authorized by Colonel Walker's agreements on those who may be guilty of it. It is greatly to be regretted, that the difficulty

PART III.
Rajpoots,
1808—1820.

difficulty of detection should secure the perpetrators of this crime so effectually from punishment as to render the article against it a dead letter. There has been no instance of punishment for Infanticide since the agreements were concluded, and this is so far from being owing to the diminution of the crime, that from the best information Major Ballantyne could obtain it would not appear that more than 100 females born since the agreement are now in existence; and it is not easy to say how many of these might have been spared if the engagement had never been entered into. No effectual check can be imposed on this atrocious practice as long as it is so completely congenial to the general feelings of the people, unless by employing hired agents, as proposed by Major Ballantyne, to detect offenders of this description; such a measure, however, would lead to so much intrusion into the most private and domestic proceedings of the superior castes (among whom alone Infanticide prevails,) and would be open to so many abuses on the part of the informers, that we do not think the chance of success would compensate for the disaffection which it would create; it may also be doubted how far we have a right to interfere to such an extraordinary pitch with the private life of a people with whose civil government and internal police we do not pretend to have any concern.

51. We must therefore be content to follow the footsteps of our predecessors, (without attempting to go beyond them,) in their most meritorious endeavours to discountenance this enormity; and we may safely flatter ourselves that as the manners of the people become softened by a continuance of tranquillity and good order, they will gradually discontinue a practice which is not more inconsistent with reason and morality, then repugnant to natural instinct.

Extract Bombay Political Consultations, 6th June 1821.

Extract of a Minute by the Governor (Honourable M. Elphinstone), dated Camp, Millia, 9th January 1821.

Para. 1. I HAVE the honour to lay before the Board the opinion I formed while in Kattywar on the system which it is most expedient hereafter to adopt towards that province.

3286. 22. There is one point of great importance in which we are already entitled to exercise the right of general superintendence. This is in checking the crime of female Infanticide, and in imposing the fines authorized by Colonel Walker's agreements on those who may be guilty of it. It is greatly to be regretted that the difficulty of detection should secure the perpetrators of this crime so effectually from punishment as to render the article against it a dead letter. There has been no instance of punishment for Infanticide since the agreements were concluded, and this is so far from being owing to the diminution of the crime, that from the best information Major Ballantine could obtain it would not appear that more than 100 females born since the agreement are now in existence, and it is not easy to say how many of these might have been spared if the engagement had never been entered into. No effectual check can be imposed on this atrocious practice as long as it is so completely congenial to the general feeling of the people, unless by employing hired agents, as proposed by Major Ballantine, whose duty it should be to detect offenders of this description, and such a measure would lead to so much intrusion into the most private and domestic proceedings of the superior castes (among whom alone Infanticide prevails), and would be open to so many abuses on the part of the informers, that I do not think the chance of success would compensate for the disaffection which it would create. It may also be doubted how far we have a right to interfere to such an extraordinary pitch with the private life of a people with whose civil government and internal police we do not pretend to have any concern. We must therefore be content to follow the footsteps of our predecessors (without attempting to go beyond them) in their most meritorious endeavours to discountenance this enormity; and we may safely flatter ourselves, that as the manners of the people become softened by a continuance of tranquillity and good order, they will gradually discontinue a practice which is not more inconsistent with reason, than repugnant to natural instinct.

Extract MINUTE of the GOVERNOR of BOMBAY, dated Camp, Chowbarree, 26th January 1821.

THE three most probable points of difference with the Jharejas are settling their disputes among themselves, enforcing the prohibition of female Infanticide, and compelling them to act against plunderers within their own districts. In the first, all danger may be averted by the prompt and impartial administration of justice; in the second, by caution and delicacy in the means of detecting guilt, and moderation in punishing it. The third is an object of great importance; it is more likely to be obtained by vigilance than by severity, by explaining what is expected, censuring neglect, and compelling restitution, with the addition of a fine as the punishment of participation.

[*Instructions conformable with the foregoing Minute were sent to the Resident in Cutch.*]

Bombay Political Consultations, 21st Feb. 1821, page 816.

At a COURT of DIRECTORS held on Wednesday the 7th July 1819,

A LETTER from Lieutenant Colonel A. Walker, retired from the Bombay Establishment, dated the 6th instant, stating, that he understands that advices have lately been received from Bombay conveying unfavourable accounts of the result of the arrangements entered into by him with the Jahrejah chiefs in Kattywar in 1808-9 for the suppression of female Infanticide; and requesting to be furnished with a copy of the proceedings of the Bombay Government, and of their agents in Cutch and Kattywar upon this subject since he left India, as follows:

Sir, 38, Russell Square, 6th July 1819.

Understanding that advices have lately been received by the Honourable the Court of Directors from the Bombay Government, conveying unfavourable accounts of the result of the arrangements entered into by me with the Jahrejah chiefs in Kattywar in 1808-9 for the suppression of female Infanticide in that province, I am exceedingly desirous of being put in possession of the circumstances which have led to the disappointment of the hopes which I then entertained of having put an end to this unnatural and horrid practice. I therefore take the liberty of requesting that you will move the Honourable Court to give orders that I may be furnished with a copy of the proceedings of the Bombay Government, and of their agents in Cutch and Kattywar, upon this subject, since I left India. My only motive in preferring this request is the peculiar interest which I take in the matter, coupled with a desire to suggest any remedial measures which may occur to me connected with it. I have the honour to be, Sir,

Joseph Dart, Esq.
&c. &c. &c.

Your most obedient and humble servant,
(signed) *A. Walker.*

Being read;—

Ordered, That it be referred to the consideration of the Committee of Correspondence.

At a Committee of Correspondence held on Wednesday the 7th July 1819.

A LETTER from *Lieutenant Colonel A. Walker*, retired from the Bombay Establishment, dated the 6th instant, stating that he understands that advices have lately been received from Bombay, conveying unfavourable accounts of the result of the arrangements entered into by him with the Jahrejah chiefs in Kattywar in 1818-19, for the suppression of female Infanticide, and requesting to be furnished with a copy of the proceedings of the Bombay Government, and of their agents in Cutch and Kattywar upon this subject, since he left India, being read; also, paragraphs 140 a', 148, in the Political Letter from Bombay, dated the 20th of December 1817,

Ordered, That Colonel Walker's request be complied with, and that he be accordingly furnished with a copy of the documents referred to in his letter.

(954).—Lieutenant Colonel A. Walker.

Sir,

In reference to your letter of the 6th instant, I am directed to transmit for your perusal the accompanying documents on the subject of female Infanticide.

I am, Sir,

East India House,
10th July 1819.

(signed) *J. Dart*, Secretary.

At a Court of Directors held on Wednesday the 21st July 1819.

A Letter from Lieutenant Colonel Alexander Walker, retired from the Bombay Establishment, dated the 19th instant, transmitting for the Court's information a Memorandum upon the subject of female Infanticide, and offering several observations as to the measures which should be adopted for putting a stop to that practice;—being read,

Ordered, That the said letter be referred to the consideration of the Committee of Correspondence.

At a Committee of Correspondence, the 1st September 1819.

A Letter from Lieutenant Colonel A. Walker, retired from the Bombay Establishment, dated the 19th July last, transmitting a memorandum upon the subject of female Infanticide, and offering his opinion on the means which should be adopted for putting a stop to that practice;—being read,

Ordered, That Colonel Walker's letter, with its enclosure, be referred to the Examiner of Indian Correspondence.

Copy of a Letter from Lieutenant Colonel A. Walker, to the Secretary to the Court of Directors, dated the 19th July 1819.

Sir, Russell Square, 19th July, 1819.

In acknowledging your letter of the 10th, and the documents to which it gave cover, I beg to enclose, for the Honourable the Court of Directors, a memorandum on the subject of female Infanticide. I have found it impossible at present to give that important subject all the consideration which is due to it, and I shall probably avail myself of a future opportunity of transmitting, for the notice of the Honourable Court, some additionable reflections which may hereafter occur to me.

Although there can be no difference of opinion regarding the enormity of the crime of Infanticide, yet it is not to be considered as peculiar to the natives of India. In other parts of the earth the same practice has prevailed. In China it is not uncommon at this day, where it is permitted by the legislature, and where it is reckoned no disgrace nor dishonour to the individual.

Every humane person, however, must agree that such a practice should be stopped by all the means which a wise Government can command; that we have the means in our power there cannot be a doubt; and I must beg leave to say that my own success is a proof of this. The means are persuasion and reason. If those are wisely applied by the agents of Government they will be found to be quite sufficient without any inquisitorial institution, without any odious system of espionage, which no remote advantage can make necessary.

The foundation of reform was laid. It was proved to the natives that this practice was against their sacred institutions, and that it was revolting to the best feelings of the human heart. They agreed to relinquish it, and probably did sincerely mean to do so. The Government, however, and the local authorities, became remiss, and the people returned by degrees to habits too long established.

I am convinced that it is necessary, by undeviating attention to the subject, to satisfy them that we are really sincere in our wish to abolish this crime. The gentlemen on the spot should be instructed to get annual reports of the births in the different districts; to encourage those who adhere to their engagements; and to exact the penalty from those who neglect them. Those who perform their duty may even be rewarded by small sums of money, and the Court will not decline to sanction a moderate pecuniary disbursement in the cause of a humane object. The people should be made sensible by every means in our power, that we do not forget the subject; but that the vigilant eye of Government, like that of the Deity, does not turn away from the view of crimes; and that it is always on the watch for their prevention; that it is ready to encourage the good, and punish the bad.

By such attention, there is not a doubt but that the progress of Infanticide would be stopped, and that if stopped for a few years the natural horror of the crime would be felt by every parent, and prohibitory laws would no longer be necessary.

All however depends on attention to the subject for a sufficient length of time, till the influence of custom is forgotten, and the natural affections have sprung up again in the hearts of parents. They are not wholly lost, although some unhappy circumstances have been able to cover them for the present. In attaining this object there cannot be a doubt of our success, for nature is working in our favour. All that is required is attention to the subject, and for a sufficient length of time.

Naturam repellas furca, tamen usque recurret.

I have the honour to be, Sir, your most obedient and humble servant,

(signed) *A. Walker.*

Joseph Dart, Esq. &c. &c. &c.

Copy of MEMORANDUM enclosed in the foregoing Letter.

IN offering my opinion upon the means of suppressing female Infanticide in the West of India I must first observe that this object should be accomplished without violating the feelings of the natives, and without having recourse to actual coercion. I must also beg to refer to my own proceedings which succeeded in obtaining the consent of the people to relinquish this barbarous and unnatural practice. It was accomplished, no doubt, with great difficulty, but it was so far a spontaneous act that it was solely effected by persuasion and reason. It is under this influence alone that the measure can ultimately be expected to prove successful; but from the peculiar habits of the people of this part of India the practice of destroying their children cannot be overcome by the mere dictates of natural affection. When this tie was once abandoned, it would be long before it could be again recovered; and it would be necessary that they should be continually watched, and urged to the performance of a duty which is seldom neglected even by the brutes. This is an unfavourable picture of human nature, but it is the unavoidable consequence of a long familiarity with depraved sentiments, and a perseverance in vicious habits. It was foreseen that the mere engagement which these people had contracted for discontinuing Infanticide, however solemn and authentic, would not be sufficient unless they were looked after with vigilance; unless they were frequently encouraged; and unless those instances in which they infringed their own voluntary engagement were detected and punished. The mode of punishment was provided by their agreement. I am persuaded that a system of this kind would have succeeded, and have preserved, in a great degree, the engagement inviolate for the abolition of Infanticide. Occasional infractions might have happened, and were to be expected; but the general principle would have been maintained, and in time the custom would have been forgotten, and have disappeared. It must have been, indeed, by the same process that it was established; for it was impossible that a practice so contrary to every feeling of nature could have been established at once, and without the utmost repugnance. Many persons must have persisted in saving their children, and disobeyed a horrid and inhuman institution, until they became reconciled to it by custom and usage.

It was under the influence of a similar train of reasoning and reflection that I suggested to the Government, when I quitted India, to exact an annual report of the progress of Infanticide, and that it should be the object of continual care and solicitude. Before I retired from the service I had the satisfaction to see that the principles for its abolition had made no slight impression on the minds of the people, and in a short period they had saved a considerable number of infants. But from the report which has now been received from India, it would appear that the whole number saved in the course of ten years is little more than sixty, and perhaps not a third more than were presented by their parents to me in Kattywar with feelings of affection and delight. From those feelings which were publicly displayed, and which had all the appearance of the most tender maternal effusion, I must own that I thought myself warranted in entertaining the most sanguine hopes that this blot on human nature would be utterly eradicated.

In the present state of the subject, and with reference to the peculiar state of the society in which this crime prevails, I would take the liberty of suggesting some remedial measures, which may still avert the fate of those unhappy children.

The first circumstance which requires attention is to see the people often, and by a frequent intercourse to inspire them with sentiments more favourable to humanity. It is scarcely to be expected that the Jahrejahs will seek our society without greater encouragement than it is the habit of our countrymen, generally speaking, to afford to the natives of India, and we must therefore visit them in their villages. They must be sought out in their recesses, invited to attend the public Cutcherries, and the subject brought as often as possible under public discussion. This should not be done in a controversial manner, but with the complacency and benevolence of instruction, which seeks rather to convince than to confute an unreasonable opponent. In these situations opportunities would frequently arise of enforcing the heinous nature of the offence, of calmly discussing its tendency, of exposing its crime, and of contrasting the abominable practice with the universally contrary usage of the rest of mankind. By the effect of example, by the force of conversation, and by diffusing good and just notions of human nature, these men would be gradually alienated from their absurd and guilty conduct. In every attempt to arrest this crime the Brahmins, and the precepts of the Hindoo religion, would be a powerful aid. That religion is directly opposed to the practice, and I always found the Brahmins most willing coadjutors in this cause of humanity. By these means, by a constant attention to the subject, by frequently assembling the Jahrejahs, and by using the immense mass of conciliatory methods in our power, the practice might surely be effectually suppressed. It is not founded on religion; it is disavowed by the great body of the people, and prevails only among a single tribe.

They would not withstand any systematic exertion which might be directed to its overthrow; and, in fact, did it not yield to an attempt which was made in a doubtful situation, amidst a multitude of other occupations, and which was not pursued for a long time? The same facilities, and greater, now exist to ensure success. The Guicawar authority may be disposed more readily to co-operate with us, while our own is better established, and while we possess an actual share in the Government of the country. The collector of the newly-acquired revenue in Kattywar would be a natural and an essential agent in this humane work. By means of the police, which is under his control, and by the frequent intercourse which his office obliges him to hold with the natives, he would have opportunities of communication superior perhaps to any other person. Let the collector, the agent in Kattywar, the agent in Kutch, and the Guicawar authorities, heartily, and in concert, exert themselves, and they would be irresistible. It is with no improper or invidious motive that I have observed on the great superiority of these means over the new and imperfect influence which we had when the attempt was first made to suppress this odious crime. But I would not rest the success of this interesting measure alone on vigilance, and the active use of even all the agents in our power. I would employ other stimuli, and not neglect those that may be calculated to produce an effect on the grosser passions of those who persevere in the practice of Infanticide. I would not encourage the idea of an expensive agency, nor the direct and professed employment of spies, which are more likely to defeat than to promote the object; but there are surely means of ascertaining the result of a birth in a family, without either offending its delicacy, or requiring much expense. The fact of a pregnancy is always public, and the report of the neighbours would often be sufficient evidence. A few detections would arrest the practice. If the intercourse was as frequent as I have recommended, many things would be casually learnt, and little indeed could be concealed. In the course of this intercourse, many acts of friendship, of courtesy and attention, could be conferred on the Jahrejahs, which would be attended with little expense, but which they would highly value; they are both greedy and necessitous. The present of an inferior turban, of a deputta, of a snuff-box, of a pair of spectacles, or of any other trifling article, would be prized by them as a mark of honour, and as a profitable acquisition. These little favours would be the means

of

PART III.
Rajpoots,
1808–1820.

of bringing them together, of inducing them to come into our society, and finally of reconciling them to our views. It is by association and a constant attention that they are to be reclaimed.

I cannot conclude these hasty remarks without observing that the character and reputation of our Government must suffer materially should those people be allowed to resume a practice which they had abandoned with all the formality of a regular and solemn compact. May it not be said that we were more indifferent in the cause of humanity than in exacting a rigid and scrupulous compliance with the terms of a treaty which involved a paltry revenue, or some insignificant district? We may by kindness and by patience bring them back to the path of their duty. The voice of nature, and the influence of the women, will unite in assisting us, and in this struggle against a deplorable practice we shall finally prevail, while our motives must be applauded, and cannot be mistaken. Were the power of Government never applied but in cases so obviously beneficial and disinterested the rudest minds would bless them; and the feelings of men, as well as their reason, would render them both agreeable and irresistible.

London,
38, Russel Square.

(signed) *A. Walker.*

At a Court of Directors held on Wednesday the 15th September 1819.

A Letter from Lieutenant Colonel A. Walker, retired from the Bombay Establishment, offering further observations upon the proceedings which have been held on the subject of female Infanticide since he quitted India, and upon the measures which he thinks calculated to suppress that practice, being read—

Ordered, That the said letter be referred to the consideration of the Committee of Correspondence.

Copy of a Letter from Lieutenant Colonel A. Walker to the Secretary to the Court of Directors, dated the 27th August 1819.

Sir,

Since I had the honour of addressing you under the 19th ultimo I have been able to peruse with more leisure and attention the proceedings which have been held on Infanticide from the time that I left India. Although it would be a very painful task for me to enter into a minute and critical examination of those proceedings, some remarks are unavoidably necessary on a subject which cannot be viewed without interest and emotion, and which, to a considerable degree, must involve the character of our country. The policy and humanity of our Government are irrevocably blended with the success of the measures for abolishing this revolting crime.

After a careful perusal of the documents with which I have been favoured by the indulgence of the Honourable Court, I have found it impossible to suppress the conclusion, that the subject had either been forgotten for years together, or that some imperious and uncontrollable circumstances had rendered our interference utterly impracticable. From whatever resistless cause this has arisen, it is deeply to be lamented, and the consequences are far more formidable than even the immediate effects. The immediate effects are the loss of so many thousand lives; but the consequences are still more serious, as the enforcement of the engagement must now be infinitely more difficult by the long neglect and disuse of its provisions. There is no more effectual way of destroying the most sacred laws and obligations than by usage; while they acquire fresh strength and vigour by a regular appeal to their authority.

At the time that I left India the subject was familiar to the Jahrejahs; there was an impression of interest on their minds; a return had appeared of parental affection; and above all there was the necessity of obeying a legal enactment possessing their own solemn sanction, and for the enforcement of which the British and Guicowar Governments were pledged.

Instead of this picture, the Jahrejahs have now found out that the engagement, which was at first so reluctantly yielded, and strenuously urged, means almost nothing, PART III. Rajpoots, 1808—1820.

nothing, since it may be eluded with impunity; may be violated without detection and without reproof. If they had imagined that there would be so little danger in its violation as they evidently, at present, believed to be the case, I should without any doubt have found much less difficulty in obtaining their consent to discontinue the custom of destroying their daughters. Could they have foreseen that the whole would afterwards have rested on their own free will and choice, they would neither have been apprehensive of inconvenience nor of punishment, and would have saved themselves and me much trouble from a useless opposition. This reflection is not new, and I viewed the difficulty with which these people were first led to discontinue this extraordinary custom at the time that I was using every effort to overcome their prejudices, as no unequivocal proof of the stability of the arrangement. This is stated in my Report to the Bombay Government.

The consequence, in short, at this moment operating in Kattywar is the impression of weakness and vaccillancy on the part of the British Government, or that they are incapable of giving effect to their own measures.

It may seem idle to trace out the nature and extent of the evil that remissness or accidents have produced. I should not indeed have made these observations were I not clearly of opinion, that in the application of any remedial measures it is most particularly necessary that we be distinctly aware of the nature and the extent of the mischief, otherwise it will never be counteracted. I am aware also that the truth cannot be stated in all its broadness and honesty to the Company's Government in India, as it might irritate instead of conciliate; yet it should be stated, though with as much delicacy as the nature of such truth will admit.

I have now a more agreeable duty to perform, in adverting to the interest which seems to be every where felt and expressed at present for the suppression of this crime. The communications of Captain Carnac and of Captain Ballantyne breathe the spirit of feeling and humanity, which is natural to their character. They are men who love their country, their friends and mankind. They will, I am persuaded, pursue the subject with a renewed degree of earnestness and warmth, and by a judicious direction of their exertions finally accomplish the abolition of Infanticide. They will embrace every means and opportunity of maintaining unimpaired the honour of their country, by supporting its reputation for humanity and philanthropy. They are the best judges of local circumstances, and have the best means of taking advantage of them.

I expect this from those gentlemen, and that they will unite a kind of enthusiasm in the cause.

I cannot avoid taking this opportunity of expressing my own obligations and warmest thanks to Captain Carnac, for the spirit with which he repelled the insinuation contained in the resolution and minute of the 19th September 1817. It is with the utmost unwillingness that I have at all alluded to this subject, but I conceive that I could not pass it over in total silence, and must trust in the Honourable Court of Directors doing me that justice which I have on so many occasions gratefully felt and acknowledged at their hands. I may, however, be allowed to observe, that the attempt to throw reproach and censure on my influence and exertions is in point of fact, at least inaccurate. The exertions and responsibility of an individual in the public service must necessarily terminate with his office; but I can affirm with truth that I have never been able to divest myself of care and solicitude for those interests which I left behind me in India; and especially for that measure by which I hoped to rescue a great number of helpless infants from a premature death. I have endeavoured to second this wish, by every excitement which a frequent correspondence at so great a distance could effect, to impress on the minds of my European and native friends an attachment to those principles which had always regulated my own conduct, and particularly never to relax their efforts against those who violate the laws of nature and society. This was all that I could do, and was perhaps more than was to have been expected from an unemployed individual. The most arduous part of the enterprize was unquestionably the procuring of the engagements on the part of the Jahrejah chiefs to abolish the practice of destroying their daughters; the solemn acknowledgment that it was contrary even to their own religion; and that such was their abhorrence and detestation of it that whoever should be proved guilty of the repetition of the crime should be branded with all the infamy, disgrace, and privation of privileges involved in the loss of caste.

The recognition of these things as general principles, and principles of law, I hold to the grand achievement in the removal of this scene of guilt, desolation and misery.

If the practical benefit has not followed, it cannot, by any fair inference, be imputed to me; and this conclusion seems firmly founded in the fact, that in the course of a short period after the engagement was procured, as many lives were spared through its agency as for all the succeeding years.

But, perhaps, the following quotation from the proceedings of the Bombay Government itself might be produced as a proof that the failure had no dependence on my influence and exertions.

"Had the annual reports" (they observe, in their Consultations of the 16th of August 1816) "required by the instructions of Government of the 31st of March 1808, been regularly attended to, the chieftains would have observed a continued anxiety on the part of the British Government to enforce the engagements they contracted, and the formation of those reports would also have led to a spirit of inquiry, and ensured, in a certain degree, the fulfilment of those engagements, inasmuch as it would have proved to the chieftains of Kattywar the anxiety felt by the British Government on the subject."

In this passage they have themselves correctly traced, however late, one of the principal errors which has been committed, and which was in their own power at any time to have corrected.

It may be said there was nothing to report; let this be admitted; report that fact, for it was a fact little expected, and the knowledge of it would have given an impulse to investigation and vigilance. It has at length produced this very effect; and however inefficient the means adopted might have proved, the appearance of activity and interest must have prevented many bad consequences.

I shall now turn with pleasure to the circumstances which are still favourable to this cause of humanity, and which may encourage us to expect that this revolting practice will be overcome.

The Court of Directors, the Government and its assistants in India, appear at present to take great interest in the success of the measure. This is one favourable class of circumstances.

Again, the prejudices of the Jahrejahs with which I had to grapple, if not entirely done away, are at least suppressed and disavowed. They appear so far to move within the range in which nature acts that they express no pride in the destruction of their offspring, and feel no shame in rearing them. It is evident that a very favourable change has taken place, since all the infants they have saved has been the consequence of their own choice; and as some of their daughters have been reared within very recent dates, the principle of natural affection is even at this moment producing its effect.

This, therefore, is upon the whole a second class of favourable circumstances; but they can be favourable only to an enlightened and resolute mind; a mind that calculates coolly, that regards no obstacle as contemptible, and yet will not be appalled by the greatest.

One of the principal objections to the remedial measures proposed to and rejected by the Bombay Government, *without the substitution of others*, is, that they uniformly consist of small details. They suggest to me the idea of a conqueror proposing to lay a vast region at his feet by merely disarming or taking captive a few of the videttes or outposts. It appears to me that there are two great principles, of which all the minor details must be merely ramifications. The first principle is the maintenance of the authority of Government in connection with the solemn engagements of the Jahrejahs; and the second is the adoption of that conduct towards the natives which I have endeavoured to illustrate in the letter which I had the honour to address you last month. I have taken the liberty of suggesting in that communication what I thought might be usefully enjoined; but much must be left to the discretion, temper, and good sense, of the local authorities.

There must be intercourse, reasoning, and such dignified and manifest benevolence, that the foul breath of malevolence shall never be able to sully it. In short, reason, persuasion, and the aid of women, who more readily feel than men the cruelty of such a practice, would do much to put a stop to Infanticide; and in a few years it would be looked on in Kattywar with as strong a feeling of horror as it is now in England.

I shall take the liberty of offering some remarks on each of these points. In the first place the authority of Government must be maintained, and the engagement which has been mutually contracted, exactly fulfilled. We must show that

We are serious, and that we are determined to be obeyed. This will be more difficult now than in 1808, but still it must be done.

I would begin by sending to every Jahrejah chief an authenticated copy of his engagement, and apprize him in the most solemn and precise terms of the determination of the Company and the Guicawar to exact the performance of an obligation which has prescribed to all parties sacred and imperative duties. These separate addresses to the chiefs would sooth their pride, and prevent them from taking offence; but that none may be able to plead ignorance of the intentions of Government, I would follow up the measure by a public Proclamation, and give it as wide a circulation as possible. This should be addressed to the bosom and understanding of every Jahrejah. It should declare the feelings and the intention of Government upon the subject. It should strongly mark the abhorrence of the crime, and explain the nature of his own obligations in consequence of his engagement to renounce Infanticide. He should be told that the bear, the tiger, the wolf, the hyena, and whatever is fiercest in nature, preserve their offspring, and risk their own lives for their safety. He should be asked what was to be expected from a being in the shape of a man, but who is so far from having any thing of the nature of a man, that his bosom is unvisited with even that tenderness which moves and controls the most savage beasts of prey! That where the monstrous inhumanity of Infanticide exists it is impossible that any good can exist: That it involves a violation of good faith, as well as the recognized principles of religion, and that no trust can be reposed in the perpetrators of this horrid crime: That therefore Government are resolved to punish such outcasts of human nature by withholding from them every mark of confidence and regard, as well as by inflicting pains and penalties according to the nature of the case. That on the other hand, those who give evidence of a sincere and hearty return to nature and the principles of religion, shall be regarded with affection, and enjoy every mark of esteem, of favour, honour, and emolument, of which circumstances will admit.

When these and other considerations have been promulgated, it would be necessary that they should be acted upon with firmness and vigilance; for *early* relaxation in particular would prove extremely injurious, not only to this cause, but to the respectability of Government in general.

In the proclamation I have above suggested, and in all public declarations on the subject, it might be useful to point to the Talook of Draffa, of 400 families, who have never saved a female infant, and who are enduring the marks of Divine vengeance, in the extreme poverty and misery to which they are reduced. The Rajkoomars of Benares, also, who have proved faithful to their engagements, might be mentioned as an honourable instance, and in fine, they should be reminded of every obligation and example which can be supposed to bear on the question, and is likely to produce any influence upon their sentiments. The feelings and compassion of the chiefs should be roused by frequently expressing our indignation against the crime; and by correspondence and remonstrance to inspire a natural horror of it in every breast.

In order to observe and to give due effect to these preliminary measures, the servants of Government, Natives or British, should have instructions to watch over the operation of the engagements in their several districts, and to report upon every occurrence of a birth among the Jahrejahs, or even the surmises of its consequences. As they are not very rigid in the seclusion of their women, and as all those who are in the lower stations of life, who form the great majority in every society, must necessarily be employed in occupations, which expose them to public view, a case of pregnancy can scarcely ever be concealed. There is no attempt made indeed to prevent it being known, and surely it would not require much discrimination of judgment, nor the exercise of a very officious or impertinent curiosity, to ascertain a circumstance which is so notorious. But there are other circumstances of less direct evidence, from which very fair and correct inferences may be drawn, and of which we may avail ourselves, in cases where stronger testimony may fail. It is well known that among Hindoos of all descriptions the birth of a son is an object of congratulation and rejoicing. Whenever a birth in a Jahrejah family was unattended by these cheerful and happy symptoms, where it was passed over in silence and without notice, we might with very considerable certainty conclude that the birth was a female. Upon this surmise or suspicion an inquiry might be made, and I do not imagine that there would either be any impropriety or indelicacy in questioning the family as to the result. In many cases I am disposed to think that the Jahrejahs would not deny the fact, and any attempt to equivocate would form a strong proof of guilt. Cases of a suspicious nature must occasionally occur, and come under our observation; but the miserable children of poverty must not become the victims of vengeance, while the more aggravated guilt of those that range in the higher ranks of life are passed over in silence and with impunity. By taking advantage of every opportunity, by appearing active and inquisitive, and deeply interested in the event, we should convince these people that we are determined in future to prevent the perpetration of the act.

At any rate every servant of Government should have injunctions to ascertain the consequence of a birth by all the means that may be in his power; nothing should be too trifling for his notice which may bear on the point; he should collect even the rumours of the country upon the subject, and report to his superior; he again to another, if such there happen to be, and so on till each case reach the assistant of the Resident, and then the Resident himself, who should lastly report to the Government at Bombay. I would beg to recommend that the report of the Resident should be made at least every three months for the first year or two, or till it appear that the measure is proceeding so securely that an annual report, which must never be dispensed with, shall be deemed sufficient. Quarterly reports for a time, indeed, would be highly beneficial, and if they were mere blanks, still I think they should be punctually made. They would prevent the subject from falling into neglect, and by maintaining a spirit of inquiry make it manifestly appear that we are in earnest. I would even suggest, if it could be attained, to engage the chiefs themselves to make returns of births, and not only of females, but of males, which would be a check upon the evidence in regard to the former. This would be gaining a step of decisive importance, not only to the cause, but might increase the small number of useful facts which we possess on the state of population in India. There is every reason for suspecting that the chiefs have been trangressors of their own engagements, but the form alone of making a quarterly return to Government would add to the general excitement, and would ultimately produce good. The great object is to apply as many principles as possible of common cohesion, and to put in motion the whole of the moral machinery which can be discovered for the abolition of this unnatural practice. I am at the same time perfectly aware that the nature of the subject must render it peculiarly difficult to obtain correct information, and accurate evidence, of a fact which is commonly perpetrated in secret. The means of concealing the sacrifice itself are extensive, but as they make no mystery of the pregnancy of their women, the result cannot be so easily disguised, and into this it is our business to inquire.

If there is any reason to believe, or even suspect, that the birth has been a female, and that nothing has been offered to the view or notice of the public, such circumstances occurring must afford a proper subject for investigation. It is not to be expected that this investigation should always produce conviction; but the purposes of humanity would be fully answered by the inquiry, by showing the party that he was watched, by alarming him with the possibility of detection, and by a natural consequence to prevent the repetition of the crime.

I should be disposed to consider a court of Punchayet as the most prudent and legitimate means for the examination of the question. It would be a tribunal congenial to the natives, and its decision would give them no offence. As the Court would be entirely composed of natives its proceedings would be regulated by their feelings, and the nature of the inquiry. Should, however, any objection be made to the Punchayet, or prevent it from assembling, I would have recourse to the trial by lots, or to device, however defective or imperfect, which might show that we were attentive to the subject, and ever on the watch for its detection.

It is evidently necessary that the whole system should be supported by rewards and punishments; but a considerable diversity of opinion may prevail as to their nature and mode of application. The crime may be rendered more frequent by the severity of the laws which are enacted to prevent it, while there may be as much danger of encouraging it by too great tenderness in punishing. The offence is of such an odious description that it cannot be considered as a fit object for the exercise of clemency. But at the same time it has been so long legalized by custom, and so common in its practice, that it may not be proper to inflict the last severity of the law on the first transgressors. Afterwards, however, and when the ordinance has been for some time generally observed, the criminal may be prosecuted as a common murderer.

Cases of delinquency should in every event be always punished by fine, and branded with infamy. The chiefs should be particularly held to their engagement, and punished with a pecuniary penalty to the extent of their means and the degree of their offence. The poverty of many Jahrejahs however must render the mode of amercement with respect to them impracticable, and the punishment of those who violate the engagement under such circumstances must be limited to disgrace, or ejection from caste.

To this may be superadded the displeasure of Government, the reproach and correction of society. I have said in a former communication that I would not have recourse to coercive means, and if possible I would still adhere to this rule; but the authority of Government must at all events be maintained, and this gross departure from duty punished. If all other means therefore should fail, I would not hesitate to apply those of coercion, taking care to show that it is a matter of necessity, and not choice.

Rewards and punishments always suppose something done to merit the one, or incur the other; but it is generally a less difficult task to repay a good deed, than to discover the best means of punishing a crime so as to prevent its repetition.

I have endeavoured, in my letter of the 19th of last month, and more particularly in its enclosure, to point out various marks of regard which might be shown, at little expense, to the observers of the engagement. They should have less the appearance of bribes than of marks of honour; but at the same time instances may occur in which it may be necessary to display the generosity and liberality of Government. This must be particularly necessary in cases of extreme poverty, and inability to rear the offspring which has been saved. This revolting practice may have begun among these people from want, fear of future evil, and a redundant population; it has been continued from prejudice and habit. Such cases of extreme poverty and distress have actually occurred. Several instances are stated by Captain Ballantine to have happened, and an affecting appeal appears to have been made by the parties for pecuniary relief, which will not escape the humane attention of the Honourable Court of Directors. I would suggest the adoption of a Regulation, which, while it might serve as some check on the perpetrators of Infanticide, would be an encouragement to those who follow a different conduct. The latter should receive as much praise and publicity as possible. In this point of view it might be found useful to publish in the Cutcherries and in places of public resort, after a report has been transmitted to Government, the names of those who have been faithful to nature and their engagement, and of those who have been proved to violate the dictates of both. While one class would thus be marked as unworthy of trust or confidence, the other would be placed within the view of distinction and preferment. Might it not be a beneficial excitement to confer an honorary medal on the Jahrejahs who save their daughters. The silver of a few rupees might answer the purpose; the medals would contain a suitable inscription, and the persons receiving them should be invested with them, by the highest local authority of the district, and in as public a manner as possible.

From the increased share and influence which we now possess in the revenue and government of Kattywar we have proportionally increased means of binding the principles and directing the sentiments of the natives. These are so obvious that it is almost unnecessary to point them out. Amongst the circumstances of which we have the command is the power of employing only in the transaction of public business meritorious natives, and of selecting, especially for places of honour and trust, those Jahrejahs who may have saved their children.

The Company, in a great measure, possess all those means of preferment and of profitable appointment which formerly belonged solely to the native rulers. A plan founded on this principle, systematically and judiciously pursued, would have a far better chance of success than one which proceeded solely on compulsion. Avarice seems to be the most powerful obstacle at present against which we have to struggle or contend; and the most effectual and natural way of counteracting this passion would be to oppose its influence by a new source of advantages. The fines recovered from delinquents should constitute a fund sacred to the benefit of those who have saved their daughters, which should be distributed by the Resident according to the merits and wants of particular cases. The management and distribution of the fund in this manner would be one means of satisfying the country that the humanity of the Company's government was quite disinterested. I shall only add, that every reasonable hope of abolishing Infanticide in Kutch is strongly connected with our giving effect to what is already become law in the neighbouring country of Guzerat. The accomplishment of this most desirable object ought to be considered as a prudent and legitimate measure for the consolidation and stability of our Government or influence in that quarter of India.

'In concluding these remarks, and submitting them to the consideration of the Honourable Court of Directors, it may be necessary to apologize for their freedom. My only, but I hope satisfactory, excuse, is that peculiar interest which I feel in common with the Court on the subject of female Infanticide, and my great anxiety that those measures for its suppression, which have been honoured by their approbation, and cost me no small pains and solicitude to effect, may not in the end prove totally worthless and abortive.

'I have delivered my sentiments with candour, and with that plainness which truth seems to me to require; but with feelings of the most respectful regard for the prosperity and honour of the Company, with which the dearest interests of this country are closely connected.

'It is unnecessary for me to make any professions of attachment to a service from which I have enjoyed so many benefits, into which I entered at an early period of my life, and in which I have witnessed so many eventful scenes; none of them however of a more extraordinary nature than that which is the subject of this address.

'I shall be happy if the desultory thoughts which I have at different times thrown together upon this important subject shall be deemed worthy of the attention of the Honourable Court; and I shall conclude by earnestly wishing and praying for the final triumph of humanity over a barbarous and inhuman custom.

I have the honour to be, Sir,

Bowland, 27th August 1819. } Your most obedient and humble servant,
(signed) *A. Walker*

To Joseph Dart, Esq. Secretary, &c. &c. &c.

'P. S. There is no doubt but that Infanticide is practised in other parts of India besides those of Kutch and Kattywar. The existence of the custom has been traced to the Rhatores of Jeypore and Joudpore, to the Harree of Bondee Kota, the Waish in the Poorub, the Jauts in Hindoostan, and to various Rajpute tribes remotely situated from each other, and who have at present no common tie of connexion. The custom is continued without the excitement of society and intercourse. The Mewats, a sect of Mahommedans, but whose ancestors were Hindoos, are still in the habits of putting to death their daughters at the moment of their birth. I have stated these circumstances in my Report to the Bombay Government of the 15th March 1808; and that the Jahrejahs are aware that the custom of Infanticide is followed by other tribes besides their own. Although we have not discovered the motive that has led so many people to adopt this unnatural and remarkable custom, it is probably among them all to be ascribed to the same event, and to the same origin. The sacrifice is confined, it would appear, to females, and to Rajputes, or such as claim their descent from that military race. Among a people devoted to war, and peculiarly exposed to danger, the rearing of their daughters may often have been an object of great difficulty, and in some situations they may have proved an impediment to the profession of arms. They may therefore have made this sacrifice on some emergency, to their convenience and even to their safety; or, if we choose to ascribe it, to a dreadful superstition very prevalent in ancient times, as the means of appeasing the wrath or of propitiating the favour of the gods. We are told that the ancient nations assigned this as their reason for having recourse to similar sacrifices: "They thought nothing," says Polybius, "sordid or dishonourable that is employed in that design." The senate of Carthage proposed to sacrifice the infant son of Hannibal, after he had gained the battles of Teeinus and Trebia.

'Without attempting to investigate this subject, we may assume it as an unquestionable fact that the existence of female Infanticide prevails to a greater extent in India than has yet come under the observation of the British Government. The knowledge of this fact would until lately have been productive of little more than to gratify a melancholy and speculative curiosity. It might have added to the list of those offences which are contrary to the common course of nature, without affording an opportunity of correcting this particular departure from duty and affection. The case is now very much altered; and the same inquiry at this moment might be attended not merely with the discovery of the existence of the fact, but enable, us by the means we possess at present to suppress every where this revolting crime within the region of Hindoostan. Many of the districts in which the practice is supposed to prevail have either fallen under the influence or the actual Government of Great Britain. Many of those people have become our subjects, and we are bound in duty as well as honour to reclaim them from the reproach of killing their own children. I am quite certain that the Company's Government requires no other excitement nor encouragement for undertaking this humane work than would result from the probability of their success; and it is without any view of this kind I am led to mention that the subject was not overlooked by the former Government of India, to which the Company may now be considered as having succeeded. The author of the Acball Nameh relates, that in the route of the royal army from Kashmere to Lahore they came to a village the Inhabitants of which had formerly been Hindoos, "where numbers of the poor people upon having daughters born to them that instant secretly put an end to their existence." Upon this fact coming to the knowledge of the Emperor Jehanguire, he ordered "that this barbarous practice should be discontinued; and enacted that whoever should commit it in future should be put to the torture."

From this it would appear that Infanticide engaged the attention of the Moghul Government, and that it made an attempt to suppress the practice.

It would be curious as well as useful to ascertain what has been the fate of the measures which were adopted for this purpose two hundred years ago. Have they been successful, or have they failed? The moral negligence which succeeded the decline of the Moghul Empire, and the impracticability, in the disordered state of the country, of enforcing a severe law, would be sufficient to discourage our expectations that the termination has been prosperous. Still it would be desirable to know the actual result, to discover the extent of the impression, and whether the attempt was only the effect of a feeling at the moment, or pursued as a system. The less it was expected the more agreeable, certainly, would be the discovery, should we find that natural affection has assumed its influence in the midst of all the tumults and revolutions to which that part of India has been exposed. The extensive power and dominion which we now possess in India may be made subservient to this inquiry, and be directed to ascertain how far the practice of Infanticide prevails in any of the Countries under the influence or control of the British Government. It is only necessary to make this suggestion. The Company's Government are always prepared and willing to embrace every opportunity, and employ every means arising from their situations, for securing the rights due to humanity.

(Signed) *A. Walker.*

Extract of LETTER from the Court of Directors, in the POLITICAL DEPARTMENT, to the Governor and Council of Bombay, dated 30th July 1823.

Letter from, dated 7th Jan. 1819, para. 48, female Infanticide.

Para. 21. WE have at present nothing to add to our remarks in the 74th and 77th paragraphs of our despatch, dated 1st March 1820; but we shall again notice this subject in replying to paragraphs 50 and 51 of your letter of 29th August 1821.

PART IV.

PAPERS relative to INFANTICIDE, by Drowning, Practised by the Hindoos at *Saugor*, and other Places: 1794 to 1820.

CONTENTS.

Extract PROCEEDINGS of the NIZAMUT ADAWLUT, the 23d January 1794; containing the case of Mussumaut, Jarlee, and Cumbee, convicted of having, under the influence of superstition, drowned the daughter of the former - - - - - - p. 131

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, the 18th February 1802. Containing a letter from the magistrates of Calcutta to the Governor-General in Council, dated the 17th February 1802, transmitting information upon oath by Mr. Charles Starling, a mate in the pilot service, of his having seen on the day of the full moon, in the preceding month November, eleven men, women, and lads, put into the water at Pagoda Creek in the island of Saugor, to be devoured by the sharks, as sacrifices to the Ganges; in consequence of superstitious vows previously made by their parents or relatives; and suggesting the expediency of making known the illegality of such practices by proclamation: also copy of a letter to the judges of the Nizamut Adawlut, directing them to prepare draft of a Regulation upon the subject - - - - p. 134

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, the 4th March 1802, relative to the transfer of Saugor island, from the jurisdiction of the Midnapore magistrate to that of the 24 Pergunnahs - - - - - - - - - - p. 136

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, the 20th August 1802, containing the draft of Regulation VI, 1802, proposed by the Nizamut Adawlut, and approved by the Government; declaring

1. That the drowning of a child, as practised at Saugor and other places, is unauthorized, and to be thenceforward considered as wilful murder; and as such punished with death upon the principals or accomplices:
2. That the attempt, in cases where the child escapes, shall be deemed a high misdemeanor, and punished accordingly:
3. That the Regulation shall be proclaimed at Saugor and all similar places p. 137

Extract (para. 43.) of a Letter from the Governor-General in Council, to the Court of Directors, in the JUDICIAL DEPARTMENT, dated 30th September 1802, transmitting, for the Court's approbation, copy of the foregoing Regulation - - - p. 138

Extract (para. 28.) of a LETTER from the Court of Directors to the Governor-General in Council, dated the 14th September 1803, approving the foregoing regulation - ibid.

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, the 6th January 1803, containing an application for a Military Guard of fifty Mahomedans, to enforce the observance of the Regulation against Infanticide during the Snaun Juttra on Saugor - ibid.

Extract - - Ditto - - 5th January 1804 - - Ditto - - - - - 139
— - - — - - - 3d — 1805 - - — - - - - - - ibid.
— - - — - - - 2d — 1806 - - — - - - - 140
— - - — - - - 8th — 1807 - - — - - - - - ibid.
— - - — - - - 13th Nov. — - - — - - - - - ibid.
— - - — - - - 1st January 1808 - - — - - - - - 141

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, Lower Provinces, the 14th December 1821; containing a Letter from the magistrates of Calcutta, enclosing a Bill of Charges for the Guard kept up on Saugor - - - - - - - - ibid.

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, Lower Provinces, the 28th December 1821; containing a Proposal from the Saugor Island Society to relieve Government from the expense of a Guard at Saugor, and stating that the practice of Infanticide at the annual fair had ceased - - - - - - - - 142

Extract BENGAL CRIMINAL JUDICIAL CONSULTATIONS, Lower Provinces, the 2d January 1822; containing a Letter from the magistrate of the Suburbs of Calcutta relative to the Guard on Saugor - - - - - - - - - - - 144

Extract PROCEEDINGS of the NIZAMUT ADAWLUT, 23d January 1794.

Acting Senior Judge of the Calcutta Court of Circuit.

George Hilaro Barlow, Esq. Register, Nizamut Adawlut. N° 11.

SIR,

WITH this you will receive the futwahs of my law-officers on trials N^{os}. 2, 9, 15 and 19, of the Bheerbhoom Calendar, accompanied with Persian copies and translates of the records, to be submitted to the final decision of the Court.

2d. Para. To the Futwahs on trials N^{os}. 2, 9 and 15, I have nothing to object.

Mussumaut Jarlee, and Cumlee (trial N° 19), are charged with murder, but under such circumstances as urge humanity to soften the rigour of law; Jartee's daughter was labouring under a loathsome disease, incurable in its nature; and which, by prejudices, it were vain to oppose, (but by erecting native hospitals for the reception of such objects) exposed the unhappy mother to the desertion and contempt of kindred and of friends, who artfully exhorted her to shorten a life which this growing malady was slowly and painfully extinguishing, and thus relieve a suffering child, whose desperate situation admitted no remedy, and secure to herself, oppressed by poverty, and shunned as one visited by divine vengeance, an exemption from misery. Mercy pleads in behalf of a crime committed under the prevalence of long-established prejudices, and by one, too, hopeless and deserted: and whom, if it be difficult, perhaps exceptionable, to defend, it is impossible not to commisserate. Little can be weighed in excuse for Cumlee's conduct to accompany the unfortunate mother, and not forcibly: such a deed of horror seems unnatural; and yet to dissuade her from the commitment of it was more than could be expected of ignorance and superstition.

I am, Sir, Yours, &c.

Moorshedabad, 10th January 1794. (signed) *Rob^t Bathurst,*
Acting Senior Judge.

The following are the proceedings on the trial of Mussummaut Jarlee and Cumlee.

N° 19. N° 12.

Bheerbhoom, 27th December 1793.

AT a Court of General Jail Delivery of Bheerbhoom, holden at Bheerbhoom on the 27th December 1793, before Robert Bathurst, Esq. Acting Senior Judge; and Mufty Abdul Baset Davey Churn, Company's Vakeel:—*versus* Mussummaut Jarlee and Cumlee, charged with having drowned Jarlee's child.

The Durkaust of Davey Churn, Vakeel to the Company, is as follows:

Mussummaut Jarlee caused her deposition to be written in the Mofussil as follows:

That Mussummaut Jarlee drowned her own daughter in the river, this is proved by the witnesses to the deposition; and it is proved also by the witnesses to Cumlee's Mofussil deposition, that she went along with Jarlee for to fling her own child into the river; as there is no prosecutor, therefore I hope you will investigate into it, and punish them according to the law. Mussummaut Jarlee on being asked, denied having drowned her living daughter of eighteen months old, and said as follows: "That my daughter's body had sores of the (juzaum) a distemper in the country, and died of it; and as nobody of my caste would come to fling her away on account of the sores, therefore as I was going alone to fling her away into the river, and was crying, this same Cumlee, who had gone for to gather wood in the jungle, on seeing me, said 'that nobody will go along with you, do you go by yourself, and fling the corpse into the river.' I said these words both in the Mofussil and in the Fouzdarry, the Darogah having written, the dead for the living, I am helpless." Mussummaut Cumlee, on being asked, said as follows:

"I went into the jungle for to gather wood, and having gathered some, I was coming along, when this same Jarlee, having taken her dead juzaume daughter in her arms, was crying in the jungle; on seeing her, I said that nobody will ever fling away your dead juzaumee daughter; why do you cry? Do you go yourself, and having flung her away come here. I know no more of her." The Vakeel on being asked, said, that Mussummaut Jarlee confessed having drowned her own daughter before the Darogah, with her own free will; the witnesses to it are present.

On the 27th December 1793, Ooday Narain Misser, and Heer Oonaut Doss, witnesses to Mussummaut Jarlee's Mofussil deposition, gave evidence (after being made acquainted with the contents of her Mofussil deposition on oath, as follows:

This same Mussummaut Jarlee, without force, wrote her deposition before the Derogah in our presence, and told us to be witnesses; we, agreeable to her request, witnessed it; Mussummaut Jarlee on being asked, urged this against the witnesses, "that these very witnesses beat me;" the witnesses on being asked, said, "that we are Ryotts of the village, what have we to do with her, that we should beat her;" she on being asked, said, "I have no witnesses to prove it." The Fouzdarry Omlah represented that Mussummaut Cumlee wrote in her Mofussil deposition, having accompanied Mussummaut Jarlee for to fling her daughter into the water; the witnesses are in attendance. Mussummaut Cumlee on being asked, said, "that what I wrote in the Cutcherry I also represented in the Mofussil." The witnesses to the Mofussil deposition of Cumlee, gave evidence (after being made acquainted with her Mofussil deposition) on oath as follows:

Mussummaut Cumlee caused this deposition to be written in the Mofussil before the Darogah, and told us to witness it; we agreeable to her desire were witnesses to it; Cumlee urged that the witnesses are Syers.

The Mofussil deposition of Jarlee is as follows:

My child was diseased with the juzaumee; therefore my father, mother and relations came to me, but would not eat and drink with me.

On the latter end of Jeyte, one day Mussummaut Arte, my sister, came to my home, and said why do you suffer distress here, come and remain at my house; at last, agreeable to her request, I went, and remained at my sister's house after some days; one day in the month of Assar, she said to me, "at the time you brought along with you a child, diseased with the juzaumee to my house, from that time I suffer distresses; besides this, my brother died; do not remain at my house; but having flung your child either in the water, or any where else, remain at my house;" Having heard this, I helpless remain there; after this, she said to me one day, "do you rub some oil on your daughter's body, and feed her with curdled milk and rice;" I, agreeable to her advice, fed her with it; at last she said "fling your daughter into the water, or any where else, and come here, " therefore she sent Cumlee her slave-girl along with me, and said, "that Jarlee is going to kill her own daughter; do you go along with her, and when she has killed her daughter do you bring her along with you to my house." Therefore I, together with Cumlee, at three pahars in the day, took my living daughter to the westward, and threw her into the Ajai river at the Jount Ghaut, and returned to my sister's house and told her of it; my sister said you cannot stay here; I said that agreeable to your advice I have killed my daughter, now where shall I go; having said this I remained there; after that on the 15th of Bhaudhum Bullye Dome, Buncheram Dome and Doomun Roy, having seized me brought me here.

Ques. You maintained your daughter near two years, and you killed her agreeable to the advice of your sister. Did you not feel compassion on account of it?

Ans. My sister now and then said, "that your daughter afflicted with the juzaumee will never be of any service; besides your relations will not eat with you by keeping this child, and nobody will invite you, and you profitless keep her and suffer distress." Therefore I said, if she is afflicted with the juzaumee it does not signify, she is my own, how can I desert her; after that she said, "this child is fetters to you; it will remain alone, every body will give you a place, but by this child's remaining nobody will." I was not able to understand the deceitful words of my sister, and threw my daughter into the water and she died.

The Mofussil deposition of Cumlee is as follows:

"I am employed by Artee, a widow, in the business of Gaunee, one day in the current year, in the month of Arsar, she said to me, "that Jarlee my sister is going to kill her own daughter, do you go along with her." I said I will not go. After that she again and again repeated it, and said "you must go." I said she is going to kill her daughter, I never will go along with her. After this, Artee said, "the child is diseased with the juzaumee, she will certainly fling it away; all the people by this child's remaining, throw obloquy on us, and by her not being in existence our relations are happy;' you have nothing to do in it; go along with Jarlee." Being helpless, I went along with her, and she having rubbed some oil upon her daughter's body, and fed her with curdled milk and rice, she went first, and I followed and stood by Jount Ghaut, when she (Jarlee) flung her daughter into the river Ajai; after that we came together to Arte's house, when she said, "have you both come?" I answered "yes;" after that she asked "at what ghaut did you fling the child," I said "at Jount Ghaut in the Ajai river;" Jarlee was sitting at her sister's house, and I returned to my own house, when on the 5th or 6th of Bhaudhun, after I had done my business at Artee's house, and was going home, I met with Bholanaut Ghose, gomastah of the village; he called me, and took me to his house, and said, "what do I hear?" I said, "what?" he said, "will you not tell me?" the day that you did this business that very day I found it out; having heard this I went home; the said Ghose mentioned no more. After that, on the 15th day of Bhaudhun, Sumboonaut Sick, Soadahnarain Misser, Phurroop Roy, Bhowanny Churn, &c. questioned me about the affair. I mentioned just as I have said above, and upon finding out the circumstance, they put Jarlee under charge of their man; what I know of the affair I have mentioned.

From the foregoing Mussumaut Jarlee is subject by seasul to imprisonment, chastisement and the like, and Mussumaut Cumlee is also subject to seasul.

Ordered, That Mussummaut Jarlee be imprisoned for life, and that Mussummaut Cumlee be imprisoned for three years, and then be released on executing a personal obligation for her future good behaviour.

(Signed) *Abdul Baset*, Mufty.
Robt Bathurst, Acting Senior Judge.

(A true translation.)
(signed) *J. Imhoff*, Regr Ct Ct Ct.

The following is the Futwah of the law-officers of the Nizamut Adawlut:

No 13.

A mother is not subject to Kessaas for the murder of her daughter, consequently Jarlee is not liable to suffer death, but deceit becomes proper; and if the heir of the deceased, who is her aunt, should require it, it is necessary to cause it to be paid to her.

Cumlee, who is not established to have assisted, or to have been concerned in the murder, is to be released.

(L. S.) (signed) *Mahomed Nujmuddeem.*
(L. S.) (signed) *Ameer Hyder.*
(L. S.) (signed) *Mohummud Moshurruff.*
(A true translate.)

The Court observe, that although Mussummaut Jarlee has confessed that she drowned her daughter, it is evident she was not actuated by those bad and malicious motives, the proof of the existence of which is essential to constitute the crime of murder, but on the contrary that she was instigated to commit the deed as much out of compassion for her daughter, as to avoid the misery and disgrace in which she was involved from not being permitted to associate with her own tribe. The Court, therefore, although they deem the Mussummaut Jarlee highly culpable, and think it necessary to mark their disapprobation of such acts, yet in consideration of the well-known practice which heretofore prevailed very generally in this country of people afflicted with the disease in question either drowning themselves, or being deprived of life by their relations, think it incumbent upon them to pay some regard to the remains of ancient prejudices, which they trust will in time be wholly eradicated.

The Court accordingly resolve as follows:

That Mussummaut Jarlee be confined for one year, from the 23d January 1794, and then be released.

Criminal.

N° 2.

Extract Bengal Judicial Consultations, 18th February 1802.

Calcutta Magistrates.

To the Honourable G. H. Barlow, Vice-President in Council.

Hon^ble Sir,

1. WE think it our duty to submit to your consideration the enclosed copy of a deposition delivered at the police office, by Mr. C. Starling.

2. The deponent in substance states, that being at Saugor on the day of the full moon, in the month of November last, he was a witness to several inhuman sacrifices, offered, as he represents, to the sharks, and that the victims consisted of old men, old women, and children.

3. Other depositions have been taken, some on oath, and some without an oath, to the same effect.

4. Having made the circumstances above mentioned an object of our particular attention, it appears that the sacrifices are, as stated in the depositions, of two descriptions; of aged persons of both sexes, which are voluntary, and of children which of course are involuntary; and that the periods fixed for the performance of them are at the full moon in November and in January.

5. The custom of sacrificing children is confined to the people of the Eastern districts. The practice arises from vows made by their parents, who, when apprehensive of not having issue, had promised, in the event of their having five children, to devote the fifth in its infancy to the Ganges.

6. It might be supposed that superstition could not be carried farther. The following, however, is an incident in which the dictates of bigotry appear to be still more strongly opposed to the sentiments and feelings of nature. Apprehensions being entertained lest these sacrifices might, at a future period, be prevented by the police, a boy of about twelve years of age, who, we have reason to believe, was not the fifth child, and who consequently, according to the strict letter of the vow, was not liable to be sacrificed, was thrown into the Ganges. The boy having saved himself by swimming, a Gosayn endeavoured to extend to him his protection; but, singular and unnatural as it may appear, he was again seized, and committed to destruction by his own parents.

> [The above circumstance serves to show how erroneous the account was which was published regarding these sacrifices in the India Gazette of the 21st December 1801.]

7. We have before stated that the above sacrifices took place at Saugor, which island is held to be peculiarly sacred from its being considered as the termination of the Ganges, and as the junction of that river with the sea. The spot where these rites are administered is described in Major Rennell's map under the title of "the place of sacrifice."

8. Saugor is not the only place where rites of the above nature are performed; the same practice prevails at Allahabad, at Bannsbaria, in the Zillah of Hooghly, and at Chogdah, in the Zillah of Nuddea. We have reason to believe, however, that at those places it is become for the most part a mere ceremony, and that the children, though thrown into the Ganges in conformity to the vow of their parents, generally, if not uniformly, rescued from destruction.

9. It does not appear that sacrifices of this nature are sanctioned by any tenet of the Hindoo code. What, however, has nearly the force of a religious dogma is the vow itself, and usage, which, in the opinion of the Hindoos, is equally binding as a written law.

10. The practice appears to be little countenanced by the religious orders, or by the great body of the people, who, on the contrary, think it a pious and meritorious act to rescue a child from destruction, and afterwards to adopt and maintain it at their own expense.

11. Not having been in possession of any information regarding the sacrifices in the month of November last, the sacrifices took place at that period without any interference on the part of the police, when the number of victims destroyed amounted to no less than thirty-nine. In the past month, however, we sent a party

to prevent a repetition of these barbarous rites, and are happy that the duty was effectually performed without any disturbance or opposition whatever.

12. In considering the means best adapted for preventing a practice so repugnant to nature and humanity, we observe that it would be consistent with precedents already established to propose a regulation for the prevention of such sacrifices in future. But, as we have no reason to suppose that the practice was authorized under the Mogul government, as it was never sanctioned under the British Government, and as the parties concerned are liable to be tried and punished according to the established law, we presume it would be sufficient to issue a proclamation, notifying that any persons who may be parties to such sacrifice will be tried and punished for the offence according to the general laws and regulations of the country.

13. The foregoing remarks and suggestions are applicable only to the involuntary sacrifices of children. With respect to the self-devotion of the aged and infirm in the Ganges, the practice prevails so generally, and is considered by the Hindoos, under certain circumstances, so instrumental to their happiness in a future state of existence, that we doubt whether any rules which could be adopted would prevent a practice rooted in the most remote antiquity, and sanctioned by express tenets in their sacred books.

14. We take this opportunity of recommending that the island of Saugor be declared subject to the jurisdiction of the magistrates of the 24 Pergunnahs, it appearing to us, that although the distance from Calcutta is considerable, yet the communication can be more easily maintained by means of the river from Calcutta than from Midnapore, to which Zillah it is at present considered to appertain. On the same grounds it may possibly appear to you expedient that the civil jurisdiction of the island should be annexed to the Zillah of Hooghley.

15. We beg leave to add, that a dispute having arisen among the Gosayns, regarding the partition of the amount collected from the pilgrims, the money was deposited with the police officers; and, as the same differences still exist, we are at a loss in what manner to dispose of it. We shall therefore refer the parties to the Adawlut to establish their claim, or shall make such other appropriation of the money as you may be pleased to direct. These contributions are levied from the pilgrims and shopkeepers resorting to Saugor for the performance of the above and other religious ceremonies, by the Gosayns, who derive their title thereto from a sage named Capilla, who is supposed to have lived two thousand years before Christ.

We have, &c.

(signed) *G. Dowdeswell,*
Chas. F. Martyn,
W. C. Blaquiere,
A. Macklew,
E. Thoroton.

Police Office, Calcutta,
17th February 1802.

N° 3.

The information and deposition of Charles Starling, a mate in the Pilot Service, taken upon oath, before me Charles Fuller Martyn, one of His Majesty's justices of the peace in and for the town of Calcutta, at Fort William in Bengal, the 19th day of December 1801; who, on his oath, saith, that on the day of the full moon, in November last, this deponent, and Edmund Bartlett, Branch pilot, went from the Philip Dundas schooner on shore to the Pagoda Creek on Saugor Island, where the people, as this deponent is informed, go annually to worship; that after this deponent and the said Edmund Bartlett got on shore, they walked up to the huts of the natives, and after being on shore for an hour they saw the entrails, as they supposed, of a human body floating on the water; and at the same time they also saw about three thousand natives on the beach, as near as this deponent can guess. This deponent further saith, that a fakeer was standing close to this deponent and the said Edmund Bartlett; this deponent asked him, the said fakeer, the reason why a number of the natives were ordered to be put into the water; he answered, that the head fakeer had ordered them to go to the water to be devoured by the sharks, for the prosperity of their respective families. He, the said fakeer, also informed this deponent, that if a woman had four children she ought to put one of them into the water to be devoured by the sharks, with the hope that the three other children should live. This deponent further saith, that while this deponent was on the beach, and during the time that he was in the boat going to the shore, this deponent saw all together eleven men, women and lads, destroyed by the sharks. This deponent further saith, that while they, this deponent and the said Edmund Bartlett, were in the boat, they heard that a boy was to be put into the water to be destroyed by the sharks; they waited there with an intention to save the boy; but he was not put into the water while the boat was there. And this deponent is informed and believes, that as soon as they returned to the schooner the boy was also put into the water, and was destroyed by the sharks.

(signed) *Chas. Starling.*

Sworn, the day and year first above written, before me,
(signed) *Chas. F. Martyn.*

(A true copy,)
(signed) *A. H. Smith,* Act^g 1st Clerk.

Resolved that the following Letter be written to the Nizamut Adawlut.

N° 4. To T. H. Colebrook and J. H. Harington, Esqrs. Puisne Judges of the Nizamut Adawlut.

GENTLEMEN,

1. THE Vice-president in council has the honour to transmit to you a copy of a letter, and of its enclosure, from the Calcutta magistrates, reporting a practice which prevails at the island of Saugor, of offering human sacrifices to the Ganges.

2. The Vice-president in Council deeming it necessary that the most effectual measures should be taken for preventing the observance of this inhuman and criminal right in future, requests that you will take the subject into your consideration, and that you will transmit to him the draft of a regulation for preventing the sacrifice of children at Saugor, or at any other place where the same practice may prevail.

Fort William,
18th Feb^y 1802.

We have, &c. &c.

Ordered, That the magistrate of Midnapore be directed to report whether he is aware of any objection to the island of Saugor being separated from his jurisdiction, and annexed to the 24 Pergunnahs.

Ordered, That the Calcutta magistrates be informed that the necessary measures will be adopted for preventing the inhuman and criminal practice of sacrificing children at Saugor in future; and that they will hereafter be furnished with orders upon their suggestions regarding the jurisdiction of that island.

Ordered, That the magistrates be directed to refer the parties who claim a share in the money collected from the pilgrims and shopkeepers to the courts of justice for the establishment of their claims.

Criminal.

Extract BENGAL JUDICIAL CONSULTATIONS, 4th March 1802.

N° 4. Magistrate of the Zillah of Midnapore to George Dowdeswell, Esq. Secretary to Government in the Judicial Department.

Sir,

I BEG leave to acknowledge the receipt of your letter of the 18th instant, with an extract of a letter from the Calcutta magistrates.

In reply I beg leave to report, for the information of Government, that I see no objection to the proposed separation of Saugor island from my jurisdiction, and its annexation to the 24 Pergunnahs.

Zillah, Midnapore,
27th Febr^y 1802.

I have, &c.
(signed) *H. Strachey,*
Judge and Magistrate.

The Vice-president in Council, on a consideration of the above letter, and of the report referred to in it, from the Calcutta magistrates, resolves that the island of Saugor be separated from the district of Midnapore; that the criminal jurisdiction of the island be put under the Calcutta magistrates; and that the civil jurisdiction of the island be annexed to the Zillah of Hooghly.

Extract BENGAL JUDICIAL CONSULTATIONS, 20th August 1802.

Criminal.

NIZAMUT ADAWLUT.

N° 18.

To his Excellency the Most Noble Richard Marquis of Wellesley, K. P.
Governor-General, &c. in Council.

My Lord;

IN compliance with the desire expressed by the Honourable the Vice-President in Council, in his letter of the 18th February last, we have prepared, and have now the honour to transmit the draft of a regulation for preventing the sacrifice of children at Saugor and other places.

We have, &c.

Fort William, 20th May 1802,	(signed)	*H. Colebrooke.* *J. H. Harington.*

A. D. 1802. REGULATION.

N° 19.

A Regulation for preventing the sacrifice of Children at Saugor and other places.

1. IT HAS been represented to the Governor-General in Council that a criminal and inhuman practice of sacrificing children, by exposing them to be drowned, or to be devoured by sharks, prevails at the island of Saugor, and at Bansborijah, Chogdah, and other places on the Ganges. At Saugor especially such sacrifices have been made at fixed periods, namely, the day of full moon in November and in January, at which time also grown persons have devoted themselves to a similar death. Children thrown into the sea at Saugor have not been generally rescued, as is stated to be the custom at other places; but the sacrifice has on the contrary been completely effected with circumstances of peculiar atrocity in some instances. This practice, which is represented to arise from superstitious vows, is not sanctioned by the Hindoo law, nor countenanced by the religious orders, or by the people at large, nor was it at any time authorized by the Hindoo or Mahomedan government of India. The persons concerned in the perpetration of such crimes are therefore clearly liable to punishment, and the plea of custom would be inadmissible in excuse of the offence; but, for the more effectual prevention of so inhuman a practice, the Governor-General in Council has enacted the following Regulation, to be in force from the promulgation of it in the provinces of Bengal, Behar, Orissa, and Benares.

2. If any person or persons shall wilfully, and with the intention of taking away life, throw, or cause to be thrown, into the sea, or into the river Ganges, or into any other river or water, any infant, or person not arrived at the age of maturity, with or without his or her consent, in consequence whereof such person so thrown into the water shall be drowned, or shall be destroyed by sharks or by alligators, or shall otherwise perish, the person or persons so offending shall be held guilty of *wilful murder*, and on conviction shall be liable to the punishment of death; and all persons aiding or abetting the commission of such act shall be deemed accomplices in the murder, and shall be subject to punishment accordingly. The trials of prisoners convicted as principals or accomplices in the crimes specified in this section shall be referred to the Court of Nizamut Adawlut, which is to pass sentence thereupon according to Section 75, Reg. IX, 1793, whatever may be the futwah of the law-officers of that Court; or report to the Governor-General in Council the case of any person who may appear to that Court to be a proper object of mercy, in conformity with Section 79, Reg. IX, 1793.

3. If a child, or any person not arrived at maturity, be thrown into water, as stated in the preceding section, and be rescued from destruction, or by any means escape from it, the persons who shall have been active in exposing him or her to

danger of life, and all *aiders* and *abettors* of such act, shall be held guilty of a high misdemeanor, and on conviction shall be liable to such punishment as the Courts of Circuit, under the Futwah of their law-officers, may judge adequate to the nature and circumstances of the case.

4. The magistrates of districts wherein the sacrificing of children may have been hitherto practised are required to be vigilant to prevent the continuance of the practice, and shall cause the provisions of this Regulation to be from time to time proclaimed at the places and in the season where and when such sacrifices have hitherto been effected.

(A true Copy.)

(signed) *Ja^s Stuart*, Register.

Resolution. The Governor-General in Council entirely approving the Regulation submitted by the Nizamut Adawlut, directs that it be passed, and that it be printed and published in the manner prescribed by Regulation 41, 1793, to stand as Regulation 6, 1802.

Extract of a LETTER from the Governor-General in Council of Bengal, to the Court of Directors in the JUDICIAL DEPARTMENT, dated 30th Sept. 1802.

Para. 43. HIS Excellency in Council has the honour to forward to your Honourable Court ten printed copies of the undermentioned Regulation, passed during the course of the present year.

Criminal Consultations, 20th Aug.

REGULATION 6, 1802.

A Regulation for preventing the sacrifice of children at Saugor, and other places.

Extract of a LETTER from the Court of Directors to the Governor-General in Council of Bengal, in the JUDICIAL DEPARTMENT, dated 14th Sept. 1803.

Letter from, dated 30th Sept. 1802. (43.) Forwarding printed Copies of Regulations.

Para. 28. WE are not aware of there being any objection to the several judicial regulations described in this paragraph; but, feeling a general interest in the cause of humanity, and a particular one in whatever respects the natives of India who are subject to the British Government, we deem it incumbent on us to express our entire approbation of the 6th Regulation of 1802, which has for its object the prevention of the criminal and inhuman practice which prevails at the island of Saugor and other places, of sacrificing children at certain periods, by exposing them to be drowned, or to be devoured by sharks. We rely upon the most vigilant attention on the part of the officers of police for carrying the Regulation into complete effect.

Extract BENGAL JUDICIAL CONSULTATIONS; 6th January 1803.

Criminal. N^o 2.

Calcutta Magistrates;

To George Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 11th of this month, we request that you will obtain the orders of his Excellency the Most Noble the Governor-General in Council for a party of fifty sepoys from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the Regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

We have further to request that the guard may be all Mahometans, particularly the Jemmadar and officers, and be sent here on the 7th instant.

We have, &c.

Police Office, Calcutta, 3d January 1803. (signed) *Cha^s F. Martyn*, *W. C. Blaquiere*, Magistrates.

Ordered, That the commanding officer at the Presidency be desired to furnish the Calcutta magistrates with a guard of fifty Mahomedan sepoys, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the Regulation of Government at Saugor.

Ordered, That an extract from the proceedings be recorded in the Military Department, that the necessary orders may be thence issued to the commanding officer at the Presidency.

Extract Bengal Judicial Consultations; 5th January 1804.

Criminal.
No 2.

Calcutta Magistrates;

To G. Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 13th of next month, we request that you will obtain the orders of his Excellency the Most Noble the Governor-General in Council for a party of fifty sepoys from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the Regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

We have further to request that the guard may be all Mahometans, particularly the Jemmadar and officers, and be sent here on the 8th January.

We are, &c.

(signed) *W. C. Blaquiere*, Magistrate.
A. Maclew, } Magistrates.
E. Thoroton, }

Calcutta Police Office,
30th Dec. 1803.

Ordered, That the Calcutta magistrates be furnished with a party of fifty Mahomedan sepoys, for the service mentioned in their letter.

Ordered, That an extract from the proceedings be recorded in the Military Department, that the necessary orders may be thence issued.

Extract Bengal Judicial Consultations; 3d January 1805.

Criminal.
No 15.

Magistrates of Calcutta;

To G. Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 12th instant, we request that you will obtain the orders of his Excellency the Most Noble the Governor-General in Council for a party of fifty sepoys, with fifty bundles of balled cartridges, and fifty flints, from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the Regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

This request is made annually at the Snaun Jattra in January, but not in November.

We have further to request that the guard may be all Mahometans, particularly the Jemadar and officers, and be sent hither on the 8th instant.

We are, &c.

Calcutta Police Office,
2d January 1805.

(signed) *W. C. Blaquiere*, } Magistrates.
Ed. Thoroton, }

Ordered, That the magistrates of Calcutta be furnished with a guard, as requested in their letter, for the prevention of human sacrifices at Saugor.

Ordered, That an extract from the proceedings be recorded in the Military Department, that the necessary orders may thence be issued.

Criminal.
N° 9.

Extract Bengal Judicial Consultations; 2d January 1806.

Magistrates of Calcutta;
To G. Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 11th of January, we request that you will obtain the orders of the Honourable the Vice-President in Council for a party of fifty sepoys from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the Regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

We have further to request that the guard may be all Mahometans, particularly the Jemadar and officers, and be sent here on the 5th of next month.

We are, &c.

Calcutta Police Office,
30th Dec. 1805.
(signed) *W. C. Blaquiere*, Magistrate.
Alexr Stuart, Magistrate.

Ordered, That the magistrates of Calcutta be furnished with a guard of fifty Mahomedan sepoys from the garrison, to accompany the police town-serjeant, who may be deputed to keep the peace, and promulgate the Regulation of Government for preventing human sacrifices at Saugor.

Ordered, That an extract from the proceedings be sent to the Military Department, that the necessary orders for furnishing the guard may thence be issued.

Extract Bengal Judicial Consultations, 8th January 1807.

N° 33.
Criminal.

Calcutta Magistrates;
To George Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 13th instant, we request that you will obtain the orders of the Honourable the Governor-General in Council for a party of fifty sepoys from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

We have further to request that the guard may be all Mahometans, particularly the Jemadar and officers, and be sent here on the 8th instant.

We are, &c.

Police Office, Calcutta,
2d Jany 1807.
(signed) *C. F Martyn*, Magistrates.
W. C. Blaquiere, Magistrates.

Ordered, That the magistrates of Calcutta be furnished with a guard of Mahomedan sepoys for the service described in the above letter.

Ordered, That an extract be sent to the Military Department, that the necessary orders respecting the guard may be issued.

Extract Bengal Judicial Consultations, 13th November 1807.

Criminal.
N° 1.

Calcutta Magistrates;
To G. Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 14th instant, I request that you will obtain the orders of the Right Honourable the Governor-General in Council, for a party of fifty sepoys from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

I have further to request that the guard may be Mahometans, particularly the Jemadar and officers, and be sent here on the 11th instant.

I am, &c.

Calcutta Police Office,
7th Novr 1807. (signed) *C. F. Martyn*,
Magistrate.

The following Order was passed on the 7th instant:

Ordered, That the magistrates of Calcutta be furnished with the guard required for the service mentioned in Mr. Martyn's letter at Saugor.

Ordered, That an extract from the proceedings be recorded in the Military Department, that the necessary orders respecting the guard may thence be issued.

Extract BENGAL JUDICIAL CONSULTATIONS, 1st January 1808.

Criminal
N° 22.

Magistrates of Calcutta;

To G. Dowdeswell, Esq. Secretary to Government.

Sir,

As the Snaun Jattra at Gunga Saugor takes place on the 13th of next month, we request that you will obtain the orders of the Right Honourable the Governor-General in Council, for a party of fifty sepoys from the garrison, to accompany the police town-serjeant, deputed to keep the peace, and promulgate the Regulation of Government for preventing sacrifices which have heretofore occurred on this occasion.

We have further to request that the guard may be all Mahometans, particularly the Jemadar and officers and be sent here on the 8th January next.

We are, &c.

Calcutta Police Office,
29th December 1807. (signed) *F. Martyn.*
W. C. Blaquiere.
R. Fergusson, Magistrate.

Ordered, That a copy of the foregoing letter be sent to the Military Department, that orders may thence be issued for furnishing the magistrates of Calcutta with a party of sepoys, to proceed to Saugor for the purpose mentioned in the above letter.

Note.—*This appears to be the last occasion on which the annual application for a guard at Saugor was entered upon the proceedings of Government.*—T. F.

Extract BENGAL JUDICIAL CONSULTATIONS, 14th December 1821.

Criminal.
Lower Provinces.
N° 8.

Magistrates of the Suburbs of Calcutta;

To W. B. Bayley, Esq. Chief Secretary to Government, Fort William.

Sir,

Para. 1. I HAVE the honour to transmit, for submission to Government, copy of a bill delivered to me by one of the town-serjeants for the expense incurred for keeping the peace, and preventing human sacrifices at Gunga Saugor, amounting to rupees 262. 8 A. to the expenditure of which sum I have to solicit you will obtain for me the sanction of his Excellency the Most Noble the Governor-General in Council.

2. The transmission of this application has been rendered necessary by a communication from the Civil Auditor's office, under date 6th November 1821, stating, that "the authority of Government" will be annually requisite to enable that officer to pass the charge in the contingent bill of the magistrate of this district.

I have, &c.

Fouzdarry Adawlut,
Suburbs of Calcutta,
10th December 1821. (signed) *C. R. Barwell*, Magistrate,

N° 9.

His Majesty's Justices of the Peace - - - D^r.

To Boat-hire, &c. &c. in proceeding with a Guard of Sepoys to keep the Peace, and prevent human Sacrifices during the Snaun Juttra.

To a budgerow for the serjeants - - - - - - - -	48	-	-
To six boats for the sepoys, a manjee, and six dandies to each boat, at 1 R. 12 A^s each boat - - - - - - - - - - -	147	-	-
To 15 water-jars at 12 annas each, and filling and carriage to the boats, three rupees - - - - - - - - - -	14	4	-
To oil for the guard - - - - - - - - -	4	-	-
To 14 days extra allowance for serjeants John Harragh and Thomas Cooke - - - - - - - - - - - - -	28	-	-
To 250 mats for erecting huts for the serjeants, sepoys, &c. including rope, &c. - - - - - - - - - - - - - -	17	4	-
To beating tom-tom for proclaiming the orders of Government -	4	-	-
Grand Total S^a R^s -	262	8	-

Received payment.

Calcutta,
20th November 1821.

(signed) *John Harragh.*

(True Copy.)

(signed) *C. R. Barwell,* Magistrate.

Ordered, That the chief secretary write the following Letter to the magistrate of the suburbs of Calcutta:

N° 10.

To the Magistrate of the Suburbs of Calcutta;

Sir,

1. I AM directed by his Excellency the Most Noble the Governor-General in Council to acknowledge the receipt of two letters from you, dated the 10th instant.

3. Second Letter.—The Governor-General in Council likewise authorizes you to charge in your contingent bill the sum of rupees 262. 8 A. incurred in keeping the peace, and preventing human sacrifices at Gunga Saugor during the Snaun Juttra; at the same time his Lordship in Council wishes to be apprized whether the party detached to keep the peace on these occasions is sent under your orders and instructions, or under those of the magistrates of Calcutta. If the former, you are requested to state the description and number of public officers detached to Gunga Saugor, and to furnish a copy of the instructions communicated to them for their information and guidance.

4. The Governor-General in Council observes, that as the island of Saugor is within the jurisdiction of the magistrate of the twenty-four pergunnahs; and as a police establishment is maintained under his authority on the island, it will probably be expedient that the guards annually sent on the occasion of the Mela to Gunga Saugor should in future be detached and act under the exclusive authority and orders of the magistrate of the twenty-four Pergunnahs.

I am, &c.

Council Chamber,
14th December 1821.

(signed) *W. B. Bayley,*
Chief Secretary to Government.

Extract BENGAL JUDICIAL CONSULTATIONS, 28th December 1821.

Secretary to the Saugor Island Committee;

Criminal.
Lower Provinces.
N° 11.

To W. B. Bayley, Esq. Chief Secretary to Government, &c. &c. &c.

SIR,

THE Committee of Management for the Saugor Island Society beg to represent the following circumstances, which they request you will lay before the Most Noble the Governor-General in Council.

At the time of the annual fair held during the pilgrimage to Kopeel Deo, a guard of sepoys and burkundoses is sent down under charge of a serjeant of the

Calcutta Police, to preserve the peace, and prevent the sacrifice of infants on the occasion. The Committee have traced the origin of this practice to November 1802, when Government first resolved to interfere to put down this inhuman custom.

The island of Saugor belongs to the jurisdiction of the 24 Purgunnahs, and the expense of the detachment is (they understand) borne on the accounts of Mr. Blaquiere of the Calcutta police, owing to the system which prevailed at the time the first measures were taken, when Mr. Blaquiere had a concurrent jurisdiction over the 24 Pergunnahs; where was then no courts, the island itself being attached to the civil jurisdiction of Hooghly.

Since the Saugor Society has commenced operations on the island there has been a regular Thannah established by the 24 Pergunnahs magistrate; and on the occasion of the fair of last year there were some differences between the Seenyasees and Byraques, during which the presence of the two police authorities produced some confusion.

The practice of immolating children, the suppression of which was the principal, if not the only, cause for detaching a guard, has (the Committee have ascertained) entirely ceased; were it, however, otherwise, the Committee would at all times be happy to afford their guards in aid of the regular police establishment for the prevention of such inhuman purposes. They conceive, therefore, that the necessity for sending a serjeant from the Calcutta police has entirely ceased; and as they have reason to think that some abuses have prevailed in consequence they beg to submit whether it may not be advisable to discontinue the practice.

For the further assurance of Government, as well as for their own better satisfaction, the Committee intend to depute one or two of their own body to attend the fair this year. They have already ordered the ground to be cleared in the neighbourhood of the temple for the accommodation and greater security of the pilgrims, and will therefore have a paity of men with an escort on the spot, available for the preservation of the peace, and protection of the people.

The members of their body who may proceed to the place of pilgrimage will of course keep the magistrate informed of all that may occur.

The Committee beg to add, that as the fair will take place this season on the 8th of January next, it is desirable that the orders of Government should be made known to them before that date if possible.

I am, &c.

Calcutta, 26th December 1821. (signed) *J. Kyd,*
Secretary to the Committee of Management of the Saugor Island Society.

READ again the Criminal Proceedings in the Lower Provinces of the 14th inst.

Ordered, That the Chief Secretary write the following Letter to the Secretary to the Saugor Island Committee: N° 12.

To the Secretary of the Saugor Island Committee;

Sir,

1. I AM directed by His Excellency the Most Noble the Governor-General in Council to acknowledge the receipt of your letter of the 26th instant, and to apprize you that the measures adopted for the preservation of the peace during the annual fair at Saugor Island had, previously to the receipt of your letter, attracted the attention of Government. An extract from a letter recently written to the magistrate of the suburbs on that subject is herewith enclosed.

2. Government has not yet received any answer to that reference, but under the circumstances represented by the Committee of Management for the Saugor Island Society, the Governor-General in Council has been pleased to resolve, that the duty of providing for the preservation of the peace, and of preventing the sacrifice of children, be intrusted exclusively to the magistrate of the 24 Pergunnahs.

3. Mr. Hoppner will accordingly be directed to detach the Darogah, and the chief portion of the police establishment stationed at Saugor Island, to attend during the approaching fair, furnishing the Darogah with such instructions as may be necessary for his guidance in preserving peace and good order during the fair.

4. Mr. Hoppner will strictly caution the Darogah and police officers to refrain themselves from making any exactions, and to prevent such exaction on the part of others.

5. If Mr. Hoppner should judge it expedient, he will be authorized to strengthen the hands of the Darogah by placing a further detachment of Burkundosses under his orders; and his Lordship in Council desires that the persons who may attend the fair on the part of the Committee may be enjoined not to interfere with the police officers in the discharge of their duties, but only to give such aid as may be requested from them by the Darogah in case of any emergency rendering such aid desirable.

6. A copy of this letter and of your address will be transmitted to the magistrates of Calcutta, and to the magistrates of the suburbs of the 24 Pergunnahs, for their information and guidance respectively.

7. The magistrates of Calcutta will also be desired to furnish Mr. Hoppner with a copy of the instructions usually given to the serjeant hitherto deputed to attend to the fair.

I am, &c.

Council Chamber,
28th December 1821.

(signed) *W. B. Bayley,*
Chief Secretary to Govt.

Ordered, That copies of the foregoing letters from and to the secretary to the Saugor Island Committee be transmitted to the magistrates of Calcutta, Suburbs of Calcutta, and 24 Pergunnahs, for their information respectively, with directions to conform to the purport of the latter document.

Extract BENGAL JUDICIAL CONSULTATIONS, 2d January 1822.

Criminal.
Lower Provinces.
No 13.

Magistrates of the Suburbs of Calcutta;

To W. B. Bayley, Esq. Chief Secretary to Government, Fort William.

Sir,

IN reply to the third paragraph of your letter under date the 14th instant, I have the honour to state, for the information of Government, that the practice of paying the expenses incurred for the purpose of keeping the peace, and preventing human sacrifices at Gunga Saugor, from this office, originated in the time of my predecessor, and has been continued subsequently by me, under the impression that it would be productive of inconvenience to disturb the arrangement already existing in this respect; but no orders or instructions have ever been issued by me to the police party employed on the occasions in question, who are invariably composed of individuals attached to the establishment under the control of the magistrates of the town of Calcutta.

I have, &c.

Fouzdarry Adawlut,
Suburbs of Calcutta,
31st Dec. 1821.

(signed) *C. R. Barwell,*
Magistrate.

The Governor-General in Council observes, that the foregoing letter requires no order.

PAPERS

RELATING TO

EAST INDIA AFFAIRS:

VIZ.

COPIES OR EXTRACTS OF ALL COMMUNICATIONS AND CORRESPONDENCE

RELATIVE TO THE

BURNING OF WIDOWS

On the Funeral Piles of their Husbands,

Since the 23d March 1823.

Ordered, by The House of Commons, *to be Printed,*
18 *June* 1824.

LIST OF PAPERS

Presented to The Honourable House of Commons, in obedience to their Order of the 3d June 1823:—*viz.*:

I.—BENGAL:

Extract, Paragraphs 127 a' 130, of a Letter from the Governor General in Council of Bengal, to the Court of Directors, in the Judicial Department (Lower Provinces), dated the 19th December 1822 - - - - - - - - - - - - - - p. 3

Extract Bengal Criminal Judicial Consultations (Lower Provinces), the 13th June 1822; containing Letter from the Magistrate of the 24 Pergunnahs:—with Enclosures - - ibid.

Extract Bengal Criminal Judicial Consultations (Lower Provinces), the 15th August 1822; containing Letter from the Acting Register of the Nizamut Adawlut, dated 24th May 1822 p. 5

Detailed Statement of Suttees during the year 1821 - - - - - - - - p. 6

Abstract of the foregoing Statement - - - - - - - - - - - - - p. 32

Remarks and Orders of the Court of Nizamut Adawlut on the foregoing Statement, and Resolutions of the Government thereon - - - - - - - - - - - - - p. 33

Letter from the Court of Directors to the Governor General in Council, in the Judicial Department (Lower Provinces), dated 17th June 1823 - - - - - - - - p. 44

II.—BOMBAY:

Extract, Paragraphs 139 a' 146, of a Letter in the Judicial Department, from the Governor in Council of Bombay, to the Court of Directors, dated the 25th June 1823 - - - p. 46

Extract Bombay Revenue Consultations, the 18th November 1820 - - - - - p. 47

Extract Bombay Judicial Consultations, the 20th March 1822, relative to a case of Suttee in the Rutnagerry Talooka - - - - - - - - - - - - - - - ibid.

III.—FORT ST. GEORGE:

Extract Fort St. George Public Consultations, the 7th March 1823 - - - - - p. 51

East India House,
June 16th, 1824.

W. Mc CULLOCK,
Examiner of India Correspondence.

PAPERS

Relating to East India Affairs; viz. Hindoo Widows, &c.

I.—BENGAL.

Extract of a LETTER from the Governor General in Council of Bengal, to the Court of Directors in the Judicial Department; dated 19th Dec. 1822.

(L. P.)

Para. 127. THE Proceedings, noted in the margin, contain a letter and its enclosures from the register of the nizamut adawlut, on the subject of the suttees reported to have taken place during the year 1820 in the Lower and Western Provinces, together with a copy of the remarks and orders passed by the nizamut adawlut, on a consideration of the annual returns, and the minutes recorded by the respective judges of that court.

Civil Consultations, 30th October 1821. N° 1—11.

Entered on the Criminal Judicial Consultations, Lower Provinces, of 17th July 1821.

Vide Papers printed by order of The House of Commons, 19th June 1823, pp. 31 to 65.

128. It will be satisfactory to your honourable court to observe, that the number of suttees reported to have taken place during the year 1820, was less than in the preceding year; and that compared with the number which had been reported in the year 1818, it exhibits a reduction of 242. We have not sufficient means of estimating the causes which have operated in producing the more favourable results in the year 1819 and 1820, compared with those of the two preceding years.

129. In the resolutions passed by us on this occasion, we remarked that for some time after the first promulgation of the rules requiring returns of the number of suttees, the information obtained was naturally defective; and it might be safely inferred that fewer cases had been omitted in the returns of the last two years than in those which preceded them; that the greater prevalence of the cholera morbus, by augmenting the general mortality in the country, in any given period beyond the ordinary extent, would have naturally increased the number of suttees in a corresponding proportion; and that it appeared, from information to be depended on, that the epidemic in question had in fact been more generally fatal in these provinces during the year 1818 than in the year preceding to, or in the two last years.

130. We trust that the further remarks and orders contained in our resolutions on this subject, and to which we request your honourable court's attention, will appear to your honourable court to be proper and consistent with your own views and sentiments on this important and embarrassing question.

Extract BENGAL Judicial Consultations (Criminal); the 13th June 1822.

(L. P.)

N° 46.—Magistrate of the 24 Pergunnahs, to H. S. Prinsep, esq. Acting Secretary to Government in the Judicial Department, Fort William.

Sir,—I HAVE the honour to forward a copy of a letter addressed to me by the salt agent at Barripore, and beg leave to draw the attention of government to the fifth paragraph of the same.

I have, &c.

Zillah, 24 Pergunnahs,
the 6th June 1822.
(signed) *C. H. Hoppner*, Magistrate.

N° 47.—To C. H. Hoppner, esq. Magistrate of the 24 Pergunnahs.

Sir,—ALTHOUGH a long protracted residence in India has served to make me acquainted with much of the manners and customs of its inhabitants, yet it has never been my lot until yesterday evening to witness that disgraceful ceremony which is known so commonly to prevail in Bengal, and which is so revolting to the character of its people, and to every feeling of humanity; I allude of course to the practice of widows immolating themselves on the funeral piles of their husbands.

2. Yesterday evening a report was conveyed to me, that a suttee was about to take place within a few hundred yards of my residence at this station, and that the ceremony would take place immediately; horror struck as I felt at the thought of witnessing such a scene, I yet felt it a point of duty to repair to the spot.

3. I was accompanied thither by my assistant, by the assistant surgeon of the station, and by another medical gentleman, who happened to be here on a visit.

4. I cannot doubt, Sir, but that you will give both myself and the gentlemen who accompanied me credit for the exercise of every feeling which humanity could dictate, in our endeavours to ascertain whether this was a perfectly voluntary act on the part of the female, and in our efforts to dissuade this deluded woman from a sacrifice, which, under the circumstances of her particular case, justified severe remonstrance. At one time I was fully impressed with the belief, and such was the general impression, that I had succeeded in my object of dissuasion; but in the end, either other sentiments, or rather, as I fear, other advice, prevailed, which strengthened her resolution to perform the sacrifice; but be this as it may, the point to which I am most anxious to draw your attention is, the grossly inactive and deficient conduct of the darogah of the thannah, who, instead of remaining in the immediate neighbourhood of the funeral pile, with a view of taking advantage of any relapse in the resolution of the victim, at this awful moment stood aloof from the spot; and when questioned and remonstrated with on the point, replied, that he, being a Mussulman, could not be permitted to remain so near, although in the face of this assertion, he saw European gentlemen surrounding the pile; but this was not all, the ceremony was suffered by him to take place in known contravention, as I am informed, of the principles and rules which authorize this ceremony.

5. The Shaster, which sanctions burning, enjoins, I am told, the jullut cheetaarohun, that is, the victim mounting and throwing herself upon the funeral pile *when it has burnt out into flames*; this feature of the ceremony, and a remarkable one it is, from its offering a momentary incitement to shake the strongest resolutions of human nature, was wholly dispensed with. In the case of this suttee, the victim was laid down by the side of her deceased husband; and if she was not bound by her clothes with the deceased, yet they were so wrapped about her and the deceased, that it would have been difficult for her to disentangle herself from them; upon her was then laid logs of wood, some of them of a size and weight such as but one man could lift and carry: a minute or two elapsed in this portion of the ceremony, (which from the manifest meaning of the term jullut cheetaarohun, must have been contrary to the injunctions of the Shaster), when the pile was set fire to, and immediately after a large green bamboo was placed across and held down by two men on each side, so that it rendered any effort on the part of the victim to escape wholly unavailing. Scarcely had the funeral pile been lighted, when she made a most violent effort to escape from the flames, but the nature and construction of the pile rendered any immediate effort to release her from the flames, with the chance of escaping with her life, quite impracticable.

6. Had I noticed the bamboos at the moment they were placed across the pile, or had I been aware of all the informalities that were taking place, I should at all hazard have put a stop to the ceremony; but never having seen a suttee before, and ignorant until now of the particular forms to be observed therein, I was fearful of too great a degree of interference on my part.

7. Such is the true but melancholy account of the scene I yesterday witnessed; and if this revolting ceremony cannot be altogether prevented, (but which, as far as every information I can obtain, it could by a short prohibitory enactment of the legislature), it at least appears to me of great importance, that the terms and manner in which it is enjoined to be observed should be *rigidly adhered to*, as exerting every hope of diminishing its frequency, by the prospect it holds out of often shaking the resolution of the victim at the most awful moment of the ceremony.

I therefore view it as a duty I owe to humanity, and to the government whose paternal solicitude is well known on the subject, to bring the particulars of this suttee, and all the information with respect to it, and the ceremony in general which has reached me, for such notice as you may consider expedient, or the government upon your representation may think proper to take of it.

Barripore, Salt Office, I have, &c.
1st June 1822. (signed) *R. C. Plowden*, Agent.

(A true Copy.)
(signed) *H. P. Russell*, Assistant.

Ordered, That the acting secretary write the following letter to the magistrate of the 24 Pergunnahs.

N° 48.—To the Magistrate of the 24 Pergunnahs.

Sir,—I AM directed by his Excellency the most noble the Governor General in Council, to acknowledge the receipt of your letter of the 6th instant, submitting copy of a letter from Mr. R. C. Plowden, the salt agent at Barripore, reporting some circumstances witnessed by him of a suttee which occurred lately at that place.

2. His Lordship in Council remarks, that the object of the transmission of Mr. Plowden's letter to government is not very apparent.

3. In so far as the thannadar's conduct is implicated by the statement furnished by that gentleman, you were yourself fully competent to pass orders on the subject. On the other hand, the point of law involved in the fifth paragraph, would have been a fit subject for reference to the sudder dewanny adawlut and nizamut adawlut, in case you had doubts whether the mounting of the pile in the manner stated was necessary to the legality of the suttee.

Council Chamber, I am, &c.
the 13th June 1822. (signed) *H. T. Prinsep*, Acting Sec^y to Gov^t.

Extract Bengal Judicial Consultations (Criminal); 15th August 1822.

(L. P.)

N° 9.—Acting Register of the Nizamut Adawlut, to H. T. Prinsep, esq. Officiating Secretary to Government in the Judicial Department.

Sir,—I AM directed by the court of nizamut adawlut to transmit to you, for the purpose of being laid before his Excellency the most noble the Governor General in Council, the accompanying detailed and abstract statements, prepared in this office from the reports of the several magistrates in the Western and Lower Provinces, of suttees which took place in their respective jurisdictions during the past year; together with the letters in original which accompanied them, and the remarks and orders of the court thereon.

Present:
W. Leycester, Esquire, Chief Judge;
C. Smith, S. T Goad, J. T. Shakespeare, Esquires, and Puisne Judges;
W. Dorin, Esq. Officiating Judge.

Fort William, I am, &c.
24th May 1822. (signed) *W. H. Macnaghten*, Acting Register.

(Nº 10.)—DETAILED STATEMENT OR SUTTEES OF HINDOO WIDOWS WHO WERE BURNT, OR BURIED ALIVE, WITH THEIR DECEASED HUSBANDS,

In the several *Zillahs* and Cities, during the Year 1821:—Compiled from the Reports of the Magistrates.

CALCUTTA DIVISION:		AGE.	CAST.	NAME AND CAST Of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
ZILLAHS.	NAMES of SUTTEES.						
Burdwan (62)	1. Muss^t Gabind	50	Brahmin	Hurnarrain Mookerjea	1 Jan. 1821	Cutwa.	—
	2. Dº Suckee	—	Ditto	Buddenchund Mookerjea	5 —	Gangooria	the age of this person has not been ascertained in consequence of her having been burnt before the police could arrive to make the necessary investigation.
	3. Dº Juſsoduh	75	Aughgree	Buncheeram Paien	6 —	Amboona.	—
	4. Dº Bhugbutty	60	Koith	Sunker Mitter	13 —	Ditto.	—
	5. Dº Sheeba	80	Aughree	Ramsoondee Goot	26 —	Ditto.	—
	6. Dº Dossee Munee	70	Tantee	Prain, tantee	13 Feb.	Awsgaon.	—
	7. Dº Bermomunee	22	Brahmin	Mudoosoodun Mookerjea	14 —	Amboona.	—
	8. Dº Kishoree	60	Ditto	Radukuth Surmah	9 Mar.	Indos.	—
	9. Dº Chittria	60	Kulloo	Nilloo Ossaur	21 —	Amboona.	—
	10. Dº Tipoora	60	Brahm	Rajchund Banoorjea	26 —	Cutwa.	—
	11. Dº Suressuttee	75	Tellee	Sullaggrom Paul	28 —	Raina.	—
	12. Dº Sneemuttee	52	Aughree	Radakunth Sein	28 —	Potenah.	—
	13. Dº Uloka	60	Chussah	Ramkunth Doss	6 April	Sulemabad.	—
	14. Dº Bhwanee	70	Brahmin	Buddeenath Mozmoodar	10 —	Cutwa.	—
	15. Dº Unnopoornah	32	Ditto	Ramdhun Chutterjea	25 —	Amboona.	—
	16. Dº Suckhee	35	Kaumar	Sumboo, kaumar	20 —	Poobthul.	—
	17. Dº Khemung Kuree	50	Brahmin	Woomakunth	5 —	Balkishen.	—
	18. Dº Ruſsomunee	100	Aughree	Bulrom Juſs	27 —	Gangoorea.	—
	19. Dº Rebuttee	70	Tantee	Ram, tantee	29 —	Sulemabad.	—
	20. Dº Birjmunee	62	Kaumur	Bhurrub, kaumur	4 May	Awsgaon.	—
	21. Dº Derpoomao	60	Brahmin	Bholunath Misser	7 —	Cutwa.	—
	22. Dº Digamburee	60	Ditto	Gungadhur Mookerjea	21 —	Ditto.	—
	23. Dº Bhugbuttee	32	Koeth	Ramkessore Ghose	22 —	Raina.	—
	24. Dº Naugree	60	Aughree	Manick Row Mundul	2 June	Balkishen.	—
	25. Dº Hauranee	47	Brahmin	Ramsoonder Rea	23 —	Amboona.	—
	26. Dº Pudoo Debben	41	Ditto	Saumsunker Bhuttacherjea	22 —	Poobthul.	—
	27. Dº Saugree	59	Augree	Takoredoss Koone	26 —	Gangooria.	—
	28. Dº Kooranee	—	Kotaul	Ramnath Mallick	4 July	Indos	Onoomerta.—The age of this person has not been ascertained, in consequence of her having been burnt before the police could arrive to make the necessary investigation.
	29. Dº Suressuttee	32	Chussa	Takoredoss, chussa	12 —	Gangooria.	—
	30. Dº Sunkaree	50	Brahmin	Laosein Chutterjea	16 —	Potenah.	—
	31. Dº Russa	60	Kybert	Lochun, kybert	24 —	Amboona.	—
	32. Dº Hurokooeree	30	Rajpoot	Hurlol Sing	1 Aug.	Town.	—
	33. Dº Rutton	65	Brahmin	Gocal Chuckerbutty	3 —	Poobthul.	—
	34. Dº Bemolah	60	Chussa	Thakore Doss Paul	10 —	Awsgaon.	—
	35. Dº Sonamunee	55	Koeth	Kumul Sircar	17 —	Potenah.	—
	36. Dº Radhamunee	60	Beenea	Narain Duth	7 Sept.	Town.	—

	37. Muss^t Kaurtiunee	60	Beneea	Puddolochun Sahoo	19 Sept. 1821.	Awsgaon.	—
	38. D^o Seedhissuree	80	Brahmin	Rambanerjea	19 — —	Indos.	—
	39. D^o Kooranee	60	Ditto	Bissonath Bhut	22 — —	Ditto.	—
	40. D^o Nulleetah	50	Tantee	Ramhurry Mundy	29 — —	Sulemabad.	—
	41. D^o Bermamaee	32	Brahmin	Ramtunoo Gangoolee	3 Oct. —	Amboоa.	—
	42. D^o Dasmunee	50	Ditto	Sonuton Banerjea	6 — —	Ditto.	—
	43. D^o Sheeba Debbea	80	Ditto	Rammanund Mokerjea	8 — —	Cowtaw.	—
	44. D^o Kuroonamae	44	Moya	Nillmunee Muduck	9 — —	Ditto.	—
	45. D^o Bhyrubee	40	Brahmin	Nioheerom Bhuttacherjea	9 — —	Ambooa.	—
	46. D^o Radhamunee	50	Sonar	Soobut Zurgur	18 — —	Balkishen.	—
	47. D^o Radamunee	35	Koith	Gogagobind Nundy	20 — —	Poobthul.	—
	48. D^o Paurbuttee	55	Ditto	Komlah Kunth Hujrah	26 — —	Indos.	—
	49. D^o Peearee	35	Brahmin	Romdoss Mokerjea	26 — —	Ambooa.	—
	50. D^o Belusseemunee	72	Koeth	Nunddoolol Mitter	28 — —	Cutwa.	—
	51. D^o Ramsoonderee	80	Brahmin	Kisherrom Turkbhoosun	29 — —	Ambooa.	—
	52. D^o Doorputee	47	Tantee	Kalachund	2 Nov. —	Poothul.	—
	53. D^o Joogoahia	32	Brahmin	Obyechurn Rae	9 — —	Ditto.	—
	54. D^o Jankee	50	Beenee	Buncharow Singh	10 — —	Muntessur.	—
	55. D^o Digamburee	50	Duddee	Ramchunder Kubeerauj	29 Oct. —	Ambooa.	—
	56. D^o Saubeetria	70	Sutgope	Gobindrom Ghose	9 — —	Sulemabad.	—
	57 D^o Rooknee	60	Ditto	Jugmohun Kooner	10 — —	Ditto.	—
	58. D^o Raemunie	70	Brahmin	Bhowanee Churn	6 — —	Poobthul.	—
	59. D^o Mahamai	61	Ditto	Bullobee Gangolee	7 Dec. —	Indos.	—
	60. D^o Peearee	40	Beeneah	Ramlochun Huldar	8 — —	Magulkote.	—
	61. D^o Khoodee	65	Koeth	Nittanund Rae	16 — —	Indos.	—
	62. D^o Unnoo	60	Mettua	Mohun	22 — —	Awsgaon.	—
Hooghly (95)	1. D^o Rookine	41	Brahmin	Jogmohun Banerjea	3 Jan. —	Jehanabad.	—
	2. D^o Turramunee	65	Ditto	Ramdoolaul	5 — —	Byedbutty.	—
	3. D^o Purruss	40	Mollee	Sewukrom Mollee	7 — —	Jehanabad.	—
	4. D^o Rom Cilla	55	Sutgope	Doorga Churn Pertyhar	10 — —	Ditto.	—
	5. D^o Khemma	60	Rajpoot	Mutaub Singh	15 — —	Rujbulhaut.	—
	6. D^o Radamunee	22	Tehlee	Bindabun, tehlee	22 — —	Chondercona.	—
	7 D^o Peearee	87	Kybert	Benod Sauntra	29 — —	Dhunnia Kallee	—
	8. D^o Thakron Doss	70	Byed	Perbuttee Churn Ghose	29 — —	Baunsbarriah.	—
	9. D^o Wdoma Moi Debbeah	45	Brahmin	Heerarom Ghossaul	4 Feb. —	Byedbutty.	—
	10. D^o Goluckmeenee	40	Sutgope	Gooroopersand Ghose	12 — —	Benipoor.	—
	11. D^o Neebmunnee	70	Tummolee	Santeerom Nundy	13 — —	Ooloobarriah.	—
	12. D^o Champah Dossee	30	Kybert	Ramsoonder Doss	19 — —	Beneepoor.	—
	13. D^o Runnee	60	Sakkarree	Neetye Rukket	25 — —	Dhunnia Kallee.	—
	14. D^o Soorjee Munee	31	Brahmin	Nundeoomaur	1 Mar. —	Byedbutty.	—
	15. D^o Seedoo	60	Dome	Sunker, dome	2 — —	Paundoeah.	—
	16. D^o Mungla	30	Brahmin	Gopeenath Acharge	19 — —	Dhunnia Kallee.	—
	17. D^o Sreemuttee	35	Ditto	Hurpersad Banerjee	25 — —	Baunsberreah	—
	18. D^o Ubbya	21	Sutgope	Rumdhone Ghose	25 — —	Byedbutty.	—
	19. D^o Hurreepreea	65	Tantee	Mahadel Singh	25 — —	Ghattal.	—
	20. D^o Joemunnee	60	Brahmin	Kanto Bhutta Charje	27 — —	Jehanabad.	—
	21. D^o Unbeeka	23	Ditto	Dewannund Doss	31 — —	Baunsbarria.	—
	22. D^o Rammonee	60	Kybert	Hurree Saumunt	2 Apr. —	Dewangunge	—

CALCUTTA DIVISION—*continued.* ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Hooghly—*continued.*	23. Musst Terramonee	55	Kybert	Manick Ram Sawmunt	5 Apr. 1821	Ghattaul.	—
	24. Dº Surje Munnee	35	Brahmin	Kasseenauth Mookerjeah	5 – —	Byedbutty.	—
	25. Dº Gobind Dossee	18	Kyeth	Ramchund Ghose	5 – —	Ditto.	—
	26. Dº Rajsoo	30	Koloo	Cheedam, koloo	6 – —	Beneepoor.	—
	27. Dº Khemmah	55	Baugdy	Mannickrom	7 – —	Omptah.	—
	28. Dº Eeshnee	75	Bhaul	Badoo Roy	8 – —	Rajbulhaut.	—
	29. Dº Sukkee	65	Brahmin	Rajeeblochun Chatterjee	9 – —	Byedbutty.	—
	30. Dº Phoolmunnee	70	Gowalla	Teeluk Gope	10 – —	Dewangunge.	—
	31. Dº Gobind Dossee	50	Sutgope	Rampersaud Newagee	12 – —	Byedbutty.	—
	32. Dº Coochla	65	Kansaree	Ramhurree	15 – —	Ditto.	—
	33. Dº Hurreepreah	65	Byed	Ramdoolaul Sain	16 – —	Baunsberriah.	—
	34. Dº Sussee Dossee	45	Sutgope	Rammahun Ghose	21 – —	Ditto.	—
	35. Dº Kurroonah	60	Moocha	Ramchern	22 – —	Dhunneeah Kallee.	—
	36. Dº Rajessurree	65	Kayet	Ramlochun Mittre	28 – —	Bansbarriah.	—
	37. Dº Puddo	26	Dhoba	Hurree	29 – —	Ditto.	—
	38. Dº Terramunnee	21	Brahmin	Bacharom Chuckerbutty	30 – —	Chondercona.	—
	39. Dº Ponch	50	Chassah	Greedhur Ghose	3 May —	Ditto.	—
	40. Dº Sutjee	36	Barooe	Soodarom Dutt	3 – —	Ompta.	—
	41. Dº Unnopeernah Debbeah	60	Brahmin	Durpnarain Siadissur	6 – —	Byedbutty.	—
	42. Dº Shree Muttee	25	Ditto	Preamnarain Banerja	6 – —	Byedbutta.	—
	43. Dº Tarramunnee	31	Kayet	Kishermohun Ghose	20 – —	Dhunneah Kallee	this woman performed the ceremony of unnoo murren with a sandel of the deceased.
	44. Dº Sreemuttee	60	Kybert	Teeluck Doss	21 – —	Benupoor.	—
	45. Dº Jannookee Debbeh	25	Brahmin	Radakishen Neeai Bajesputtee	22 – —	Byedbutty.	—
	46. Dº Terramunee	70	Keyot	Doopnarrain Dutt	5 June —	Ditto.	—
	47. Dº Kunnuck Dossee	35	Benneean	Goluck Burnick	11 – —	Dewangunge.	—
	48. Dº Alluck Munee	60	Dhoba	Doolaul Dhobee	15 – —	Chondercona.	—
	49. Dº Hurris Soonderee	45	Brahmin	Anund Chunder Mookerjee	21 – —	Byedbutty.	—
	50. Dº Doorgah	20	Kybert	Dorpnarrain	23 – —	Kotra.	—
	51. Dº Khemmun Karee	42	Brahmin	Bohmanund Ghossaul	29 – —	Baugnar.	—
	52. Dº Timmunee	19	Sooree	Kunnye Sawke	1 July —	Chondercona.	—
	53. Dº Sutjee	24	Podar.	Ramjoy, potdar	4 – —	Baugnan	this woman burnt, unnoo murren, with a sandel of deceased husband.
	54. Dº Tirpoorah	55	Tantee	Bunnoo	6 – —	Ghattaul.	—
	55. Dº Teetee	60	Kammar	Ramhurry, kammar	8 – —	Dewangunge.	—
	56. Dº Rammunee Debbea	42	Brahmin	Purmanund Ghossaul	21 – —	Baunsberriah.	—
	57. Dº Joymunnee	50	Sutgope	Regoonaut Newgee	25 – —	Benneepoor.	—
	58. Dº Sooda Mookee	70	Brahmin	Preetaum Chukkerbutty	7 Aug. —	Bajbulhaut.	—
	59. Dº Koochlee	80	Gowallah	Choytun Churn Ghose	7 – —	Chondercona.	—
	60. Dº Rutbun	50	Brahmin	Rumgobind Chowdaree	15 – —	Byedbuttea.	—
	61. Dº Runjah	60	Sutgope	Neetye Mundal	20 – —	Jehanabad.	—
	62. Dº Sreemotee	25	Kayet	Buddeenauth Mitter	28 – —	Baugnor.	—
	63. Dº Peearee	35	Ditto	Bindrabun Ghose	3 Sept. —	Dhunneea Kallee.	—
	64. Dº Goluk Munnee	60	Sutgope	Hurree Bungse Mundel	4 – —	Jehanabad.	—
	65. Dº Kurroona	60	Brahmin	Rampershaud Gossaul	8 – —	Baugnan.	—

	66. Musst Komelee	21	Tummoolee	Gungarom, tummoolee	10 Sept. 1821	Chendercona.	—
	67. Do Munjerree	70	Kybert	Choytun Sawunt	14 — —	Byedbuttee.	—
	68. Do Rampree	63	Kayet	Lukky Narrain Singh	18 — —	Dhunnee Kallee.	—
	69. Do Sheboo Soonderee	28	Ditto	Thakoor Doss	18 — —	Byedbutty.	—
	70. Do Unnooperna	40	Brahmin	Neelmunnee Chatterjea	20 — —	Ditto	—
	71. Do Churpa	53	Barroe	Ramkants Dutt	20 — —	Ditto.	—
	72. Do Joymunnee	40	Mollee	Rambhudder	20 — —	Baugnon.	—
	73. Do Dirpuddee	50	Brahmin	Tittoo Mookerdjea	27 — —	Rajapoor.	—
	74. Do Unnodopoorra	53	Dybuck	Kissen Churn	5 Oct. —	Ghuttaul.	—
	75. Do Alluckmunnee	60	Sutgope	Ramlochun Ghose	6 — —	Jehanabad.	—
	76 Do Choonee	45	Brahmin	Kallypersand Biddabhossun	13 — —	Byedbutty.	—
	77. Do Kaunsullee	40	Ditto	Parbuttee Mookerjea	23 — —	Beneepoor.	—
	78. Do Kummul Munnee	50	Sutgope	Manick Ghose	25 — —	Rajopore.	—
	79. Do Buggbutty	60	Ditto	Byragee Mundel	25 — —	Byedbuttee.	—
	80. Do Shree Motee	80	Brahmin	Ramkissen Biddabhossen	25 — —	Dhunnea Kallee.	—
	81. Do Jessodumunnee	80	Tehlee	Hunnoo Mundee	28 — —	Chundercona.	—
	82. Do Sukkeesoonderree	70	Kayet	Seeddissur Ghose	29 — —	Byedbutty.	—
	83. Do Thakran Dossee	60	Muddok		6 Nov. —	Rajapoor.	—
	84. Do Mooktah	80	Jogee	Sunteerom, jogee	9 — —	Dewangunge	—
	85. Do Dhunmunee	72	Kayet	Cheedam Singh	14 — —	Jehanabad.	—
	86. Do Sree Dossee	21	Ditto	Goluk	15 — —	Beneepoor.	—
	87. Do Neemee	30	Kybert	Ramsoonder Auduck	18 — —	Rajapoor.	—
	88. Do Lukkhee	80	Brahmin	Gunga Dhur Mookerjee	23 — —	Ghattaul.	—
	89. Do Soodu Mohi	60	Kybert	Byderaut Doss	2 Dec. —	Rajapoor.	—
	90. Do Olaka Munnee	50	Koomar	Koochil Koomar	14 — —	Chondercona.	—
	91. Do Parris Dossee	60	Sutgope	Sunker Ghose	15 — —	Hurpaul.	—
	92. Do Russmunnee	40	Ditto	Puddolochun Mundel	16 — —	Chundercona.	—
	93. Do Maddoo Dossee	60	Kybert	Gokul Doss	20 — —	Byedbutty.	—
	94. Do Sooberna Debbeh	60	Brahmin	Kallee Doss Chutterjee	27 — —	Baunsberriah	
	95. Do Rassee Munnee	50	Kayet	Kallee Doss Ghose	28 — —	Ditto.	

COMPARATIVE ABSTRACT OF EACH YEAR.

ZILLAH HOOGHLY.	1815.	1816	1817	1818	1819	1820.	1821.
Total Number of Suttees	72	51	112.	141	115.	93	95.

Jessore (31)	1. Do Tareenee	60	Sahoo	Ramdolol Sahoo	5 Jan. —	Noabad	from the report of the darogah, it appears that there was no objection, according to the Shaster, to her burning on the funeral pile of her husband, having no young children.
	2. Do Mohumaah	80	Kyte	Gopeenath Sour	11 — —	Ditto	ditto.
	3. Do Mohumaah	55	Brahmin	Ramcony Chatterjee	10 Feb. —	Lohagarra	ditto.
	4. Do Puddocoomaree	25	Ditto	Ramcoomar Thakoor	23 — —	Mahomedpoor	ditto.
	5. Do Soomittra	26	Kyte	Buddennath Bose	31 Mar. —	Ditto	ditto
	6. Do Soolachana	80	Brahmin	Ramcoomar Sorosoty	3 Apr —	Noabad	ditto.
	7. Do Bhairubbee Daby	23	Ditto	Buddeenauth Chuckerbutty	3 May —	Ditto	ditto
	8. Do Obhaah	35	Byde	Kubberlochun Sain Doctor	27 — —	Ditto	ditto
	9. Do Doorga Dossee	45	Kyte	Jaugernath Deb	4 June —	Singeah	ditto
	10. Do Joymoney	45	Byde	Chunder Narain Sain	19 July —	Noabad	ditto.
	11. Do Chundra	60	Sahoo	Bholawnauth Mundel	5 — —	Lahogarah	ditto.
	12. Do Soosulla	85	Brahmin	Camodel Cubbee Boosun	8 Aug. —	Teermohony	ditto.
	13. Do Poonahbutta	25	Ditto	Premchunder Chowdry	3 — —	Kooksaw	ditto.
	14. Do Osuckmony	24	Ditto	Monohur Chuckerbutty	9 — —	Noabad	ditto.
	15. Do Mohumaah	25	Ditto	Ransoonder Sircar	23 Sept. —	Singrah	ditto.
	16. Do Doorga Daby	80	Ditto	Ramanath Buttacharjeea	8 — —	Teermohony	ditto

CALCUTTA DIVISION—*continued.*							
ZILLAHS	NAMES of SUTTEES	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Jessore *continued.*	17. Musst Sidissurnee	50	Nye	Rutton Nye	4 Sept. 1821.	Noabad	from the report of the darogah, it appears that there was no objection, according to the Shaster, to her burning on the funeral pile of her husband; having no young children.
	18. Do Surbjaak	40	Byde	Manick Chunder Sain	25 — —	Ditto	- - - - - ditto.
	19. Do Biddabutty	55	Brahmin	Rogonath Chatterjee	1 Oct. —	Tallah	- - - - - ditto.
	20. Do Gunga	39	Koory	Bustum Doss Mudduck	2 — —	Ditto	- - - - - ditto.
	21. Do Sabittra	55	Kyte	Buncharam Ghose	19 — —	Ditto	- - - - - ditto.
	22. Do Onno Daby	20	Brahmin	Bissoonath Chuckerbutty	18 — —	Noabad	- - - - - ditto.
	23. Do Coomalah	40	Kyte	Nilcount Saw	22 — —	Lohagurrah	- - - - - ditto.
	24. Do Chunder Monee	35	Byde	Rammarrain Gofto	28 Nov. —	Ditto	- - - - - ditto. an infant child of 3 months; the paternal uncle entered into a written engagement to provide a suitable maintenance for the child.
	25. Do Poorna Tarah	25	Brahmin	Roopehunder Battacherjee	15 — —	Lohagarah	- - - - as above, having no young children.
	26. Do Ruttun Mallah	80	Byde	Bhyrub Chunder Doss	14 — —	Noabad	- - - - - ditto.
	27. Do Aunnund Mohe Duby	18	Brahmin	Rugoonath Mookerjeea	26. — —	Ditto	- - - - - ditto
	28. Do Luckey	19	Byde	Ramchand Sain	5 Dec. —	Ditto	- - - - - ditto. Onoomurtah having an infant child of 10 months, the paternal grandfather and uncle entered into a written engagement to provide a suitable maintenance for the child.
	29. Do Soobadarah	70	Bary	Chooramoney Dutt	16 — —	Lohagarah	- - - - as above, having no young children.
	30. Do Ruttun Malla	22	Byde	Ramlochun Sain	16 — —	Noabad	- - - - - ditto. Onoomurtah had two children; one of 8 years, and the other of two years old. The paternal uncle entered into a written engagement for its nourishment; there was no objection to her burning on the funeral pile of her husband
	31. Do Khama Daby	40	Brahmin	Debchunder Mookerjeea	22 — —	Ditto	- - - - as above, having no young children.
Jungle Mehals (39)	1. Musst Bhyrubee	25	Telly	Radhoo Joan, telly	14 Jan. —	Thannah Bissenpoor.	—
	2. Do Benny	21	Kiat	Ramlockun Sircar, kait	27 — —	Thannah Soonamookey.	—
	3. Do Bhuannee	65	Baugdy	Doolaul Doss, baugdy	4 Feb. —	Thannah Bissenpore.	—
	4. Do Hurree	50	Baniah	Goluck Dey, baniah	4 — —	Ditto.	—
	5. Do Chitto	85	Brahmin	Nuan Mookootee	5 — —	Ditto.	—
	6. Do Takoormunee	35	Myarah	Ochub, myarah	6 — —	Zemindarry Chass.	—
	7. Do Muhessury	65	Baugdy	Mohun, baugdy	12 — —	Zemindarry Rughoonathpoor.	—
	8. Do Kishoree Munee	60	Samunth	Chukooroy, samunth	22 — —	Thannah Chatna.	—
	9. Do Kullenney	35	Raujpoot	Urjoon Dutt Baboo	22 — —	Zemindarry Pautcoan.	—
	10. Do Chandah	45	Kiat	Juggernath Sircar, kait	20 Mar. —	Zemindarry Rughoonathpoor.	—
	11. Do Sunkurry	50	Brahmin	Lokenath Banerjee, brahmin	7 April —	Thannah Bissenpore.	—
	12. Do Bassow	55	Ditto	Ditto	7 — —	Ditto.	—
	13. Do Kissoree	42	Dybug	Puddoo, dybug	14 — —	Zemindarry Maunbhoom.	—
	14. Do Gungah	70	Bhaut	Doorgachurn, bhaut	15 — —	Thannah Kootulpore.	—
	15. Do Chooramonee	37	Maul	Bahadoorlaul Baboo	15 — —	Thannah Ondah.	—
	16. Do Cumul Koonaree	30	Ditto	Ditto	15 — —	Ditto.	—

	17. Musst Jumonah	70	Gawallah	Koonehil Mundul, gawalla	17 April 1821	Zemy Amynagore	in this case the suttee took place on the 4th day after the death of the husband, his body having been burnt on the 4th. The suttee was not legal, agreeably to the bewashtah delivered by the pundits of the sudder dewanny adawlut.
	18. Do Jettoo	70	Brahmin	Joogul Odhee Kary	21 — —	Thannah Kootulpore.	—
	19. Do SucheeMookhee	80	Ditto	Ramhurree Banerjeah, brahmin	26 — —	Ditto.	—
	20. Do Doorgah Munee	22	Dhul	Kaungally, dhul	26 — —	Ditto Ondah.	—
	21. Do Bilosmunee	45	Brahmin	Radakant Rai, brahmin	27 — —	Ditto Sampaharee.	—
	22. Do Beerdah	60	Chassah	Salagy Paul	29 — —	Ditto Bissenpore.	—
	23. Do Ombeka	24	Tantee	Gour Rukheet, tantee	3 May —	Ditto.	—
	24. Do Sauntee	70	Pal	Kooroo Paul	17 — —	Ditto Kutoolpore.	—
	25. Do Jussodah	32	Brahmin	Kheltermohun Gosain	20 — —	Ditto Zemindarry Maunbhoom.	—
	26. Do Besukha	22	Ditto	Junerdun Manjhee, brahmin	21 — —	Zemindary Maunbhoom.	—
	27. Do Jettu	81	Baugdy	Radhoo Rai	22 — —	Thannah Kutulpoor.	—
	28. Do Augurmunee	80	Samunth	Calloo Rai	27 — —	Ditto Cotwally Bancoorah.	—
	29. Do Khoodoo	65	Kiat	Mohun Sircar, kiat	10 July —	Ditto Soona Mokhee.	—
	30. Do Gangu	60	Chootiar	Nuan, chootiar	18 — —	Ditto Bissenpore.	—
	31. Do Jaymunee	80	Dome	Komchil, dome	22 May —	Ditto Sittah.	—
	32. Do Puddanbuttee	65	Brahmin	Rumpersaud Ghutuck	22 — —	Ditto Bissenpoor.	—
	33. Do Burjessurree	23	Ditto	Bunsee, brahmin	29 Aug. —	Ditto Ondah.	—
	34. Do SreemuneeBabee	65	Raujpoot	Anund Deo	7 Sept. —	Zemindarry Pautcoom.	—
	35. Do Bodamunee	45	Muduck	Gudye, muduck	22 Oct. —	Thannah Kutoolpore.	—
	36. DoMugurKoonwary	80	Rajpoot	Chunder Mohun Baboo	22 — —	Zemindarry Maunbhoom.	—
	37. Do Chowdhoorin	60	Brahmin	Cumul Surmah	28 — —	Thannah Sittah.	—
	38. Do Lolmoree	80	Ditto	Ramchund Seromunee	4 — —	Ditto Bissenpore.	—
	39. Do Puddoo	60	Dome	Soharom, dome	15 — —	Zemindarry Chass.	—
Midapore (6)	1. Do Raootee	20	Kyburth	Koochul Ghurrye, kyburth	3 Mar. —	Thannah Purtaubpoor.	—
	2. Do Daja Motee Raree	41	Rajpoot	RajahRamchunderDhoul, rajpoot	30 Sept —	Ghatsillah	—
	3. Do Golkee	40	Jaghee tantee	BinodePoramanick, joghee tantee	6 Oct. —	Thannah Purtubpoor.	—
	4. Do Bhognee	70	Brahmin	Bhorut Missur, brahmin	27 — —	Ditto.	—
	5. Do Dyamonee	36	Kyburth	Rajoo Mitter, kyburth	1 Nov —	Midnapore.	—
	6. Do Champah	90	Komar	Kishun Doss, komar	19 Dec. —	Thannah Pudumbussauer.	—
Nuddeah (59)	1. Do BhyrubeeDebeea	70	Brahmin	Kuhlipersaud Mukerjeea, a brahmin	14 Jan. —	Santipoor	no objection to the suttee, as this woman had no children under three years of age.
	2. Do Rokhonee	60	Suckranee	Kishen Kounth Suckru	15 — —	Dewangunge	ditto.
	3. Do Konokee Dossee	36	Podnee	Soobuba Pode	31 — —	Sooksaugur	ditto.
	4. Do Goopee Debi	60	Ugurdanee	Ramjuan, ugerdanee	31 — —	Ditto	ditto.
	5. Do Ruthyu Makla Debia	60	Brahmonee	Anundnarain, a brahmin	3 Feb —	Hunrah	ditto.
	6. Do Gouree Debeeah	59	Ditto	Gungadhur Buttacharjee, a brahmin	9 — —	Sooksa ugur	ditto.
	7. Do Parbuttee Dossee	70	Gowlin	Ramkinkur Ghose, a gwallee	15 — —	Santipoor	ditto.
	8. Do Obhya Dossee	70	Kaistnee	Rammohun Mittre, a kaist	5 Mar. —	Baseerhaut.	—
	9. Do Chittera Dossee	59	Ditto	Bishenath Biswas, a kaist	7 — —	Hunrah	no objection to the suttee, as this woman had no children under three years of age.
	10. Do Konokee Dossoee	50	Coloo	Naraen, a coloo	21 — —	Ditto	ditto.
	11. Do Derpoe Debea	33	Brahmonee	Nuboo Neirrean Ocharjee, a brahmin	24 — —	Sooksaugur	ditto.
	12. Do Rookhoonee Debia	50	Ditto	Mahadeb Mookerjeea, a brahmin	27 — —	Santipoor	ditto.
	13. DoHorahSoonderee Debia	24	Ditto	Kalachund Banerjee, a brahmin	28 — —	Kauguzpookrea	ditto.
	14. Do SoobeedraDebiah	24	Ditto	Lukheecanth Mullick, a brahmin	6 April —	Nuddeah	ditto.

CALCUTTA DIVISION—*continued:* ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Nuddeah *continued.*	15. Muss^t Degumburee Debia	33	Brahmonee	Rammohun Chuckerbuttee, a brahmin.	11 April 1821	Nuddeah	no objections to the suttee, as this woman had no children under 3 years of age.
	16. D^o Bhyrubee Debia	35	Brahminee	Jugurnauth Banerjea, a brahmin	11 — —	Kunguzpookrea	ditto.
	17. D^o Gobind Debia	40	Brahmonee	Caleecoomaur Bhutta Charjee, a brahmin	14 — —	Nuddeah	ditto.
	18. D^o Toolu Dosse	55	Kaistnee	Anundrom Mitre, kaist	15 — —	Deoghan	ditto.
	19. D^o Nelly Dasea	70	Ditto	Teernarean, kaist	17 — —	Sooksaugur	ditto.
	20. D^o Peorea Dossee	40	Choothernee	Narwena, choothar	20 — —	Kauguzpookrea	ditto.
	21. D^o Ombeekat Debia	25	Brahmonee	Maischunder Chatterjeera, a brahmin	20 — —	Ugurdeep	ditto.
	22. D^o Dhoumonee Dossee	35	Kaistnee	Rammohun Mitter, a kaist	21 — —	Labsah	this woman had 2 children under 3 years of age, but previous to the suttee a near relation entered into the prescribed engagements, on stamped paper, to take care of them
	23. D^o Ombeekah Dossee	40	Ditto	Premnarain Dutt, a kaist	26 — —	Ditto	ditto.
	24. D^o Deegumburree Debia	50	Brahmonee	Chunder Seekur Bhutta Charjee, a brahmin	26 — —	Santipoor	no objections to the suttee, as this woman had no children under 3 years of age.
	25 D^o Chowdree Ghoseen	50	Gowalin	Gopaul Ghose, a gowla	27 — —	Sooksaugur	ditto.
	26. D^o Teeloka Soonderee Debea.	30	Brahmonee	Bhugwan Chunder Rai, a brahmin	29 — —	Santipoor	ditto.
	27. D^o Soorjoomanee Debia.	50	Ditto	Ramneedy Banerjee, a brahmin	30 — —	Hurrah	ditto.
	28. D^o Unnoopoorna Debia.	61	Ditto	Ramlochun Banerjee, a brahmin	3 May —	Ditto	ditto.
	29. D^o Sreemuttee Dasea.	30	Kaistnee	Neela Caunth, a kaist	5 — —	Nuddeah	ditto.
	30. D^o Surosuthee Debia	40	Brahmonee	Ramchunder Chuckerbutty, a brahmin	6 — —	Hurrah	ditto.
	31. D^o Sree Muthee Debia.	40	Ditto	Gooroopersand Chatterjee, a brahmin.	6 — —	Nuddeah	ditto.
	32. D^o Rudahmonee Dosseea.	50	Kaistnee	Prannath Nang, a kaist	6 — —	Buseerhaut	ditto.
	33. D^o Beymoola Daseea	30	Kaiburthnee	Ramkoomaur, a kyburth	13 June —	Deoghar	ditto.
	34. D^o Chunder Moonee Debea.	60	Brahmonee	Rammohun Bhauttacharjee, a brahmin.	16 — —	Santipoor	ditto.
	35. D^o Soorjoomanee Daseea.		Kamarnee	Goburdhun, a kamar	26 — —	Nuddeah	ditto.
	36 D^o Luckee Debea	55	Brahmonee	Ramsoonder, a brahmin	2 July —	Hurrah	ditto.
	37. D^o Sussee Debia	40	Ditto	Ramsoonder Chatterjee, a brahmin	5 — —	Santipoor	ditto.
	38. D^o Russoo Dasseea	40	Kaistnee	Ramchunder, a kaist	13 — —	Nuddeah	ditto.
	39. D^o Hurosoondree Debea.	40	Brahmonee	Taranath, a brahmin	21 — —	Santipoor	ditto.
	40. Anund Dosseea	50	Bhuntnee	Bhuruth Roy, a bhaut	22 — —	Nuddeah	ditto.
	41. D^o Goluck Monee	45	Rajpootnee	Calisunkur Sing, a rajpoot	15 Aug. —	Santipoor	ditto.
	42. D^o Tyrpoorah Debiah.	45	Brahmonee	Cusheenath Banerjee, a brahmin	17 — —	Goburdarga	ditto.
	43. D^o Kistnomenee Dossee.	25	Kaistnee	Takoorchund Sircar, a kaist	1 Sept. —	Sooksaugur	ditto.

	44. Muss^t Luckee Debia	77	Brahmonee	Udjoodyearom, a brahmin	23 Sept 1821	Kauguzpookrea	no objections to the suttee, as this woman had no children under 3 years of age.
	45. D° Dyamohee Debia	80	Ditto	Ramkinkur Nyabhoosuna, brahmin	2 Oct. —	Santipoor	ditto.
	46. D° Cumlah Daseea	59	Podenee	Komolerom, pode	2 — —	Ditto	ditto.
	47. D° Degumburee Debia	30	Kaistnee	Turachund Dutt, a kaist	11 — —	Nuddeah	ditto.
	48. D° Ruttun Nunee Debia.	32	Brahmonee	Jugomohun Mookerjeea, a brahmin	2 Nov. —	Santipoor	ditto.
	49. D° Sheeboo Soondoree Debia.	53	Ditto	Ramchunder Chuckerbuttey, a brahmin.	3 — —	Ditto	ditto.
	50. D° Koeosoola Doseea	45	Moyranee	Sham Mudoke, a moyra	3 — —	Kauguzpookrea	ditto.
	51. D° Chitteira Debia	30	Brahmonee	Tarinee Sunkur Bhutacharje, a brahmin	7 — —	Hurdee	ditto.
	52. D° Rammonee Ghosyne	22	Gwalion	Gooroochum, a gwalah	13 — —	Ugurdeep	ditto.
	53. D° Surasothee Daseea	48	Napithnee	Kahbee, a napith	17 — —	Santipoor	ditto.
	54. D° Turah Dosseea	45	Kaistnee	Rammohun Sein, a kaist	24 — —	Dumdumma	ditto.
	55. D° Romlotha Debia	25	Brahmin	Ramkabye Bhutacharjee, a brahmin	26 — —	Nuddeah	ditto.
	56. D° Ruthun Monee Doseea.	25	Banianee	Bungsee, a buneea	4 Dec. —	Ugurdeep	ditto.
	57. D° Degumburee	40	Rajpootnee	Obaipersaud Rai, a rajpoot	4 — —	Santipoor	ditto.
	58. D° Rommonee Dosseea.	20	Brahmonee	Hulodhur Mookerjea, a brahmin	9 — —	Hurrah	ditto.
	59. D° Sidheesoree Duseea.	50	Ghuttuck	Hurry Ghuttack, a kaist	12 — —	Sooksaugur	ditto.
Suburbs of Calcutta (39).	1. D° Ruttunmoney	45	Brahmin	Nusseerom Chutterjee	18 Jan. —	Chitpoor	leaving 2 sons and 1 daughter of the several ages of 26, 18, and 7 years, an engagement was executed by Purrankissen Chitterjee, her first son, for the care of the child 7 years of age.
	2. D° Sreemotty	84	Coyburth	Sahisturom Roy	30 — —	Sulkeah	leaving 3 sons and 3 daughters, all above 54 years of age
	3. D° Caloandee	80	Pode	Lollmoney Mondle	1 Feb. —	Tauzeeraut	leaving 2 sons and 2 daughters, all above 30 years of age.
	4. D° Cuppoorah	50	Choottue	Ramchunder Paul	25 — —	Ditto	leaving no children.
	5. D° Rassmoney	20	Brahmin	Neelcommole Mookerjeea	26 — —	Ditto	ditto.
	6. D° Gungamonee	58	Coyet	Bulrom Sircar	28 — —	Chitpoor	ditto.
	7. D° Ullockmonee	30	Coyberth	Moocheyrom Pauttun	18 Mar. —	Tauzeehaut	leaving 1 son 11 years of age.
	8. D° Nyanee	50	Barooe	Ramtunoo Dutt	19 — —	Sulkeah	leaving 2 sons and 4 daughters, all above 13 years of age.
	9. D° Kooraney	40	Gundobaniah	Rammohun Naug	20 — —	Chitpore	leaving no children.
	10. D° Gourmoney	65	Brahmin	Ramdolul Chatterjee	23 — —	Ditto	leaving 3 sons, all above 26 years of age.
	11. D° Sufseemoney	24	Coyet	Cosseenath Sing	4 April —	Ditto	leaving no children.
	12. D° Rodamoney	45	Cumar	Collipersaud Cumac	14 — —	Ditto	leaving 3 sons and 1 daughter, all above 15 years of age.
	13. D° Coomaree Dabbia	40	Brahmin	Dabeychurn	16 — —	Ditto	leaving no children.
	14. D° Cowsoolleah	70	Chassadhoba	Ramdoolaul	17 — —	Sulkeah	leaving 1 son, 40 years of age.
	15. D° Sunkeree	50	Coybert	Ramhurry Doss	28 — —	Tauzeehaut	leaving 2 daughters, all above 14 years of age.
	16. D° Kistnomoney	45	Napith	Rampersaud Purramanick	30 — —	Ditto	leaving no children.
	17. D° Unno	31	Joogy	Comole, joogy	11 May —	Chitpore	leaving 3 daughters and 1 son of the several ages of 16, 13, 11 and 7 years; an engagement was executed by Ram Chund Joogy, her husband's brother, for the care of the child aged 7 years.
	18. D° Parbutty	60	Tonty	Nakoor, tonty	26 — —	Ditto	leaving 2 daughters and 1 son, all above 20 years of age.
	19. D° Narrainee	65	Brahmin	Hurrykissen Misser	9 June —	Sulkeah	leaving 6 daughters and 1 son, all above 30 years of age.

CALCUTTA DIVISION—*continued.* ZILLAHS.	NAMES of SUTTEES	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction	REMARKS.
Suburbs of Calcutta-*continued.*	20. Musst Joymoney	40	Brahmin	Luckhun Gangoolly	18 July 1821	Sulkeah	leaving two sons and three daughters of the several ages 28, 20, 16, 9 and 6 years; an engagement was executed by Nuboo Coomar Gangoolly and Bhuggowan Gangoolly, her sons, for the care of the child 9 years of age, and another engagement by Kishenmoheen, her relation, for the care of the child 6 years of age.
	21. Do Khoollunnah	22	Tantee	Jugomohun, tante	30 – —	Chitpoor	leaving no children.
	22. Do Rattun	60	Coybert	Birjoodoss	31 – —	Tauzeehaut	ditto.
	23. Do Bhaugyruttee	57	Brahmin	Ramsoonder Ghosal	3 Aug. —	Sulkeah	leaving four daughters, all above 17 years of age.
	24. Do Casseemoney	28	Ditto	Tarryny Churn Bernerjeea	8 – —	Ditto	leaving no children; in this case the party, being opulent people, did not wait for the magistrate's permission, but performed the suttee, against which act, however, on particular inquiry, no legal objection appeared. The magistrate considered it nevertheless proper to bind Omah Churn Banerjea in a recognizance of 10,000 rupees, for his appearance in court when required.
	25. Do Sreemottee	40	Coyet	Ramjoy Sircar	9 – —	Tauzeehaut	leaving four daughters, all above 11 years of age.
	26. Do Droperddee	40	Augooree	Rumbhudue	11 – —	Ditto	leaving two sons and three daughters, all above 11 years of age.
	27. Do Beemollah	80	Brahmin	Bhowany Churn Chatterjee	31 – —	Sulkeah	leaving three sons and three daughters, all above 20 years of age.
	28. Do Bermomohee	26	Ditto	Muhdubchund Bhuttacharjeeah	3 Sept. —	Tauzeehaut	leaving no children.
	29. Do Bewanny	80	Ditto	Saumsoonder Hauldar	9 – —	Ditto	ditto.
	30. Do Bechoo	60	Mally	Uckoor, mally	10 – —	Ditto	leaving two sons and two daughters, all above 20 years of age.
	31. Do Bhugobutty	40	Brahman	Seebchunder Mookerjeea	23 – —	Ditto	leaving one son, 21 years of age.
	32. Do Mooktah	90	Kybert	Neemoy Munnah	24 – —	Nahazaree	leaving two sons, all above 35 years of age.
	33. Do Cuppoorah	50	Tewore	Santirom, tewore	11 Oct. —	Tauzeeraut	leaving one son and one daughter, all above 25 years of age.
	34. Do Puddo	40	Brahmin	Ramohum Bhutta Charjeea	27 – —	Ditto	leaving two daughters, viz. one 25 years and the other 7 years of age; an engagement was executed by Jandobind Bhuttacharjee, her brother, for the care of the daughter 7 years of age.
	35. Do Unno	50	Culloo	Balluckrom, culloo	9 Nov. —	Chitpoor	leaving no children.
	36. Do Kishoree	75	Coyberth	Romgopaul Doss	13 – —	Sulkeah	leaving three sons and four daughters, all above 26 years of age.
	37. Do Luckeeperiah	45	Pode	Ramsoonder, pode	14 – —	Tauzeeraut	leaving one son, 16 years of age.
	38. Do Pureejaut	60	Tanty	Anund, tanty	7 Dec. —	Chitpore	leaving two sons, all above 12 years of age.
	39. Do Ruttunmonee	70	Joogy	Romjoy Mundle	17 – —	Tauzeeraut	leaving two sons and six daughters, all above 13 years of age.
24 Pergunnahs (33).	1. Do Paurbuttee	42	Brahmin	Rammohun Banerjea	16 Jan. —	Anreeadeh	leaving a son, 25 years of age.
	2. Do Rausmoney, alias Kowsoolla.	70	Ditto	Dyarom Burmcharg	26 – —	Ditto	leaving one son and three daughters, all above 30 years of age.
	3. Do Upponah	80	Ditto	Rammefsur Nye Lunkar	12 Feb. —	Nyehautty	leaving four sons and two daughters, all above 30 years of age.
	4. Suckee Soondry	40	Kyest	Davey Coomaur Dutt	20 – —	Anreeabdeh	no children.
	5. Do Jusodah, alias Bugobutty.	20	Pode	Bugeerut Mundee	21 – —	Ramnogore	leaving two daughters, the eldest 3 years and the other 1 year and a half old. The infants were put under the charge of their father's sister, who gave the required moochulka.

	6. Musst Manoka	85	Kybert	Gudadhur Doss	27 Feb. 1821	Anreeudeh	leaving children, who are above 25 years of age.
	7. Do Bhugbuttee	55	Brahmin	Gowrychurn	23 Mar. —	Ditto	Musst Bhugbuttee leaving two sons and one daughter, all above 20 years of age.
	8. Do Bhyrubbee	60	Ditto	Banerjea	- - -	- - -	Musst Bhyrubbee one son, aged 42 years.
	9 Do Keenoo Dossee	80	Pode	Ramkisore Dhara	16 — —	Ramnagore	leaving one son and a daughter, both above 24 years of age.
	10. Do Seettah	35	Brahmin	Gunganarrain Mookerjeea	7 April —	Anreedha	no issue.
	11 Rammoney	45	Ditto	Paurbutty Churn Roy	16 — —	Ditto	leaving two sons and six daughters, all above 10 years of age.
	12. Do Soobheedrah	70	Ditto	Ramsuntose Turk Punchanun	1 May —	Nyehautty	leaving four daughters; they are all above 25 years of age.
	13. Do Mahassaree	20	Ditto	Ubhoychurn Mookerjee	1 — —	Anreeadah	no offspring.
	14. Do Luckee	65	Ditto	Ramkunay Ghosaul	29 — —	Ditto	Musst Luckee leaving two sons and four daughters, all above 28 years of age.
	15. Do Khamungkury	50	Ditto	- - - - - -	- - -	- - -	Musst Khamungkurry no issue.
	16. Do Nyany	55	Ditto	Ramjoy Chatterja	2 June —	Ditto	leaving two sons and two daughters, all above 25 years of age
	17. Do Rookuny	30	Ditto	Kalleepersaud Takoor	12 July —	Bishenpoor	leaving five sons and one daughter; they are all above 1 year and a half. The infants are taken care of by their paternal uncles, who bind themselves to support them.
	18. Do Rammoney	65	Ditto	Kawnla Hunt Bhuttacherjee	17 — —	Anreeadha	leaving two sons and two daughters, all above 35 years of age.
	19. Do Hurreepreah	60	Ditto	Kishen Chunder Mookerjee	20 — —	Ditto	leaving four daughters, all above eighteen years of age.
	20. Do TakooronDossee	36	Ditto	Kalleepersaud Chuckerbuttee	1 Aug. —	Nyehautty	no issue.
	21. Do Doorgah	80	Ditto	Joy Gopaul Chatterja	12 — —	Anreeadha	leaving two sons, both above 36 years of age.
	22. Do Jaunukee	70	Pode	Ruttnessur Pode	16 — —	Bishenpoor	leaving three sons and two daughters, all above 20 years of age.
	23 Do Bhaugbutty	30	Kyest	Ramkunt Dey	28 — —	Anreeadha	leaving two sons, both above 3 years of age; the step-brother of the infants executed the usual moochulka to support them.
	24. Do Karrany	73	Baugdy	Cheedam Dharah	6 Sept —	Ditto	leaving three sons and one daughter, all above 18 years of
	25. Do Deegumburree	28	Brahmin	Ramchund Chuckerbutty	5 — —	Nyehautty	leaving one female child, aged 1 year and a half; the paternal uncle of the child executed a moochulka, engaging to support her.
	26. Do Suckey	85	Ditto	Udjoodheearom Banerjeea	12 — —	Anreeadha	leaving two sons and one daughter, all above 40 years of age.
	27. Do Teerpoorah	21	Ditto	Ramchurn Ghosaul	16 — —	Ditto	no issue.
	28 Do Sursutty	35	Ditto	Tarneesunkur Gangoolee	16 — —	Ditto	leaving three sons, all above 15 years of age.
	29. Do Rammonee	40	Ditto	Punchanun Chatterjea	26 — —	Nyehautty	no issue.
	30 Do Jugdessuree	50	Ditto	Rampersaud Chuckerbutty	6 Oct. —	Anreeadah	leaving one son and one daughter, both above 22 years of age.
	31. Do Ubhoyah	70	Sutgope	Jugurnath Ghose	24 Nov. —	Burrackpore	leaving two sons and five daughters, all above 20 years of age.
	32. Do Rammoney	50	Brahmin	Ramlochun Chowdry	6 Dec —	Anreeadha	leaving one son and one daughter, both above 20 years of age
	33 Do Khattur	71	Dooleah Kahar	Gunnessaum Kahaur	18 — —	Ramnagore	leaving three sons, all above 30 years of age
Cuttack (18)	1 Do Aumbah	35	Brahmin	Dossruttee Misser, brahmin	17 Jan. —	Teerum.	——
	2. Do Cawsillah	40	Baisnum	Dytanee Doss, baisnom	25 — —	Ditto.	——
	3. Do Rannee	40	Brahmin	Gobind Pundah, brahmin	30 — —	Cuttack.	——
	4. Do Pauree	17	Chassah	Bulrom, chassah	28 Feb. —	Ditto.	——
	5. Do Nillamonee	70	Brahmin	Beesnodoss, brahmin	3 Mar. —	Jehojepoor.	——
	6 Do Kumladay	50	Ditto	Purmanund Teharnee, brahmin	9 — —	Hurryhurpoor.	——
	7. Do Jumnah	25	Boisnom	Keepudoss, boisnom	13 — —	Teeruro.	——
	8. Do Kumlahday	47	Maintee	Rejoyrom, maintee	21 — —	Asserassur.	——
	9. Do Dyrokee	60	Brahmin	Rullee Teharry, brahmin	12 Apr. —	Teerum	——
	10. Do Jumnah	60	Khundite	Sirreymunt Naik, khundite	4 May —	Puttamoondee.	——
	11 Do Chumpah	46	Maintee	Gungarom Putnaik, maintee	26 — —	Urruckpoor.	——
	12. Do Surrusuttee	30	Ditto	Beeru, maintee	6 June —	Gope.	——

CALCUTTA DIVISION—continued. ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Cuttack (continued)	13. Muss^t Goraday Jymah	16	Khundite	Tunnurdun Beerbur Mahapatter, khundite.	19 Oct. 1821	Urruckpoor.	—
	14. D^o Ruttun (A.)	14	Ditto	Sham Roy, khundite	11 April —	Jahajepoor	(A.)—In this case the widow and her friends, notwithstanding the remonstrance of the chowkeedar of the village, insisted on the ceremony taking place, without waiting for the arrival of the police darogah; but as such conduct is not hitherto declared criminal, the acting magistrate did not deem it proper or necessary to take any notice of their conduct.
	15. D^o Causulee	25	Chassa	Opportee Singh, chussah	11 Oct. 1821	Hurryhurpore.	—
	16. D^o Sodhabday	65	Khundite	Bhum Choterah, khundite	6 Nov. —	Pahrajpoor.	—
	17. D^o Soobhee	18	Maintee	Dusrut, maintee	27 — —	Urruckpoor.	—
	18. D^o Kumlah (B)	60	Surrauf	Bullee Sawh, surrauf	30 Dec. —	Peepley	(B.)—This sacrifice was attended with a circumstance which it may be proper to mention; it appears, that the determination of the woman to sacrifice herself was perfectly voluntary, and after performing the usual ceremonies, she dropt herself into the burning pit or *koond*, which in this province is always used for burning the bodies in, on the occasion of a woman becoming a *suttee*. Immediately on dropping into the pit, she rose up and stretched out her hands to the side of the pit, but whether this was done with an intent to make her escape, or whether it was merely an involuntary action from pain, does not appear; however, Rajah *Sethee*, a washerman, who appears to have had the management of the ceremony, seeing this, gave her a push or blow with a bamboo, which tumbled her into the hottest part of the fire, where she was immediately consumed. The washerman was summoned, and the above facts appeared on the investigation before me; but he was released, as I am not aware that he was guilty of any legal crime; his object seems to have been merely to expedite the ceremony as much as possible.
Joint Magistrate, Khoordah (9).	1. D^o Kumlah	65	Gawla	Jugonath, purrera	13 Jan. 1821	Thannah Khoordah.	—
	2. D^o Surdee	21	Muhtee	Sudaseel Doss	7 July —	Ditto.	—
	3. D^o Hurree Pria	30	Ditto	Gopeenauth Putnaik	12 — —	Ditto.	—
	4. D^o Seeta	70	Brahmin	Bydnath Ruth	2 Feb. —	Thannah Pooree.	—
	5. D^o Goonduehee	65	Or	Pandub Pudhan	9 — —	Ditto.	—
	6. D^o Kernjulata	60	Bishno	Kirpasindoo Doss	16 — —	Ditto.	—
	7. D^o Kishoree	42	Or	Hazaree Maunsing	5 Sept. —	Ditto.	—
	8. D^o Powree	60	Dyta	Judoo Doss	18 — —	Ditto.	—
	9. D^o Beekee	22	Muhtee	Mahadeb Mahapatur	12 Dec. —	Ditto.	—
Balasore (1)	1. D^o Koondie	40	Sonaur	Rugghoo Sawhoo, sonaur	16 April —	Thannah Sarroochooramunnee.	this suttee was not attended with any circumstances worth noticing.
DACCA DIVISION:							
Backergunge (3)	1. Muss^t Soodar Malah	45	Kyest	Kanaram Doss, kyest	21 Dec. 1821	Bokynugur	it appears from the darogah's report, that the deceased has left four children; two sons, one aged 30 years, the other 12 years, and two daughters, one aged 25 years and the other 10 years; and that she was not pregnant, and burnt herself on the funeral pile of her husband, of her own free accord, on the date specified.

	2. Muss^t Woodae Munnee	34	Brahmin - -	Pudumlochun Chatterjea, brahmin.	22 Dec. 1821 -	Gournudder -	it appears from the darogah's report, that the deceased has left two children; a son aged 16 years, and a daughter 10 years; and that she was not pregnant, and burnt herself on the funeral pile of her husband, of her free accord, on the date specified.
	3. D° Bishoroopah -	86	Byde - - -	Ram Ram Sein, byde - -	28 — — -	Kutualiparah -	it appears from the darogah's report, that the deceased has left no children, and that she burnt herself on the funeral pile of her husband on the date specified.
Chittagong (4)	1. D° Renookah -	35	Sooder - -	Rammohun Biswas, sooder -	31 May — -	Putteah.	—
	2. D° Suttunee -	80	Hindoo - -	Ramsurdar, hindoo - -	6 June — -	Rawojan.	—
	3. D° Champah -	40	Bhat - - -	Ramshurn, bhat - - -	13 Oct — -	Ditto.	—
	4 D° Roopah - -	79	Ditto - - -	Ramdoolal, bhat - - -	21 Nov. — -	Ditto.	—
City Dacca (26)	1. D° Obhya Dabeea	50	Brahmin - -	Nursing Surma - - -	9 Jan. — -	Rajabarry.	—
	2. D° Purmessurry -	40	Byde - - -	Ojuddharom Doss - - -	30 — — -	Ditto.	—
	3. D° Joymalla - -	60	Ditto - - -	Shibpershaud Sein - - -	10 Feb. — -	Ditto.	—
	4. D° Ramee - -	45	Soodur - -	Rajkissen Doss - - -	24 — — -	Mulfutgunge -	it appears from a report of the darogah of Mulfutgunge, the mussumaut Ramee was at her brother's house at Pussalie, where she received intelligence on the 23d February 1821, that her husband died at his own house at Chatuck, on the 19th of the same month; she on the 24th performed the rite of anoomurun, by burning herself to death. The darogah reports, that on investigation, it appeared that no legal impediment existed to prevent her performing the rite in question.
	5. D° Rampereea -	60	Ditto - - -	Gopeenath Doss - - -	1 May — -	Mulfutgunge.	—
	6. D° Soomittra -	35	Byde - - -	Ramnath Doss - - -	3 — — -	Rajabary.	—
	7. D° Hureepereeah -	45	Ditto - - -	Radha Kishen Sein - -	10 June — -	Ditto.	—
	8. D° Rajesury - -	60	Brahmin - -	Ramchuckerbutty - - -	6 Aug. — -	Mulfutgunge.	—
	9. D° Chunder Malla	22	Byde - - -	Puddolochun Dutt - - -	7 Sept. — -	Rajabary.	—
	10. D° Dangee - -	30	Soodur - -	Meertoonjoy Naug - -	27 — — -	Selaghur.	—
	11. D° Obhya - -	60	Ditto - - -	Kiskendham Merdha - -	10 Oct. — -	Mulfutgunge.	—
	12. D° Bhawanny -	50	Byde - - -	Rajkissen Doss - - -	3 — — -	Ditto.	—
	13. D° Bhowunnessury	45	Brahmin - -	Jogyrom Chattabee - -	8 — — -	Rajabarry.	—
	14 D° Rammalla -	50	Byde - - -	Ruttun Kishen Dhur - -	17 — — -	Ditto.	—
	15. D° Taneenee -	40	Soodur - -	Rummanick Sircar - - -	23 — — -	Selaghur.	—
	16. D° Mohamya -	35	Ditto - - -	Shibnath Doss - - -	29 — — -	Mulfutgunge.	—
	17. D° Joydoorga -	40	Byde - - -	Kamsurker Sein - - -	28 — — -	Rajabary.	—
	18 D° Gunga - -	52	Kahet - - -	Ramjoynaug - - - -	17 Nov. — -	Narraingunge.	—
	19. D° Bungesury -	27	Byde - - -	Gourry Caunt Sein - -	12 — — -	Rajabary.	—
	20. D° Jumoona -	45	Brahmin - -	Jugurnauth Surma - -	24 — — -	Mulfutgunge.	—
	21. D° Rajecour -	36	Ditto - - -	Gineedhureelaul - - -	27 — — -	Kona Nukar.	—
	22. D° Bhugobutty -	41	Ditto - - -	Rammanund Surma - -	2 Dec. — -	Rajabary.	—
	23. D° Sonamoony -	34	Soodur - -	Surroopchund Dutt - -	9 — — -	Mulfutgunge -	Mussumaut Sonamoony, had an infant daughter aged about 6 months old; the prescribed engagement was entered into by Goluck Chunder Dutt, the son of the widow, who accordingly took charge of the child.
	24. D° Kishenmoney -	50	Brahmin - -	Kishencaunt Surma - -	11 — — -	Selaghur.	—
	25. D° Mohesury -	55	Byde - - -	Nundkishore Sein - - -	13 — — -	Ditto.	—
	26. D° Gunga Dubeea	58	Brahmin - -	Ramgutty Surma - - -	25 — — -	Ditto.	—

DACCA DIVISION—*continued.* ZILLAHS	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Dacca Jelalpore (7)	1 Muss^t Khemee	50	Doba or Washerman.	Nellarom, dobee	7 April 1821	Munsoodpore	it appears from the report of the darogah, that Mussumaut Khemee had two sons, aged from 30 to 40 years.
	2. D^o Gunga	40	Byde	Ramjug Sein	20 — —	Bailguchee	it appears from the report of the darogah, that Mussumaut Gunga had two sons, aged from 13 to 20 years; she burnt of her own free will and accord.
	3. D^o Joymunea	60	Kahest.	Gopeenath Bissas	28 — —	Bhoosnah	it appears from the report of the darogah, that Mussumaut Joymunee had a son, aged 40 years.
	4 D^o Joymunee Dabeea	30	Brahmin	Byrubchund Chuckerbutty	21 June —	Muxoodpoor	it appears from the report of the darogah, that Mussumaut Joymunee Dabeea had two sons, aged from 10 to 12 years, and two daughters from 5 to 8 years, and to nourish and educate them during their infancy and minority had been delivered in charge of Jugmohun Chuckerbutty, the brother of the deceased; the engagement for the same was executed by him.
	5 D^o Puranee Dabee	60	Ditto	Rajenarrain Banerjea	6 Sept. —	Talma	it appears from the report of the darogah, that Mussumaut Puranee Dabee had no son; she burnt of her own free will and accord.
	6. D^o Purusmoney	40	Kaest	Kistnomohun Goho	22 Oct. —	Bhoosna	it appears from the report of the darogah, that Mussumaut Purusmoney had a daughter, aged 16 years, and three sons, aged 8, 11, and 21 years; to nourish and educate the two minor sons during their minority, had been delivered in charge of Gooroopersaud Goho, the brother of the deceased; the engagement for the same was executed by him.
	7. D^o Kuroonamoee	20	Sahoo	Punchoorom, sahoo	20 Dec. —	Shibchur	it appears from the report of the darogah, that Mussumaut Kuroonamoee had two daughters, from 2 to 5 years; to nourish them during their infancy and minority, had been delivered to Rajekistno Sahoo, the father of the deceased; the engagement for the same was executed by him.
Mymensing				— none. —			
Sylhet (1)	1. D^o Poorno	about 40	Hindoo	Kubbocram Kyst	28 May 1821	Tannah Lutoo.	—
Tipperah (11)	1. D^o Radheekah	51	Sooder	Sobaram, soodar	19 Feb. 1821	Luckshame.	—
	2. D^o Pubney	45	Joogy	Rambhudder, joogy	23 — —	Begumgunge	buried alive with her deceased husband, he being a joogy (weaver cast.)
	3. D^o Komley	45	Sooder	Horoye, sooder	14 Mar. —	Thurlah.	—
	4. D^o Narrainny	42	Ditto	Ramsurn Duwan, sooder	28 — —	Ditto.	—
	5. D^o Audory	25	Joogy	Paudub, joogy	2 April —	Begumgunge	buried alive with her deceased husband, he being a joogy (weaver cast.)
	6. D^o Doyonee	20	Sooder	Tuppessarom Doss, sooder	17 — —	Ditto.	—
	7. D^o Rookoonny	60	Kahet	Khasalrom Del, kahet	22 — —	Cusbah.	—
	8. D^o Narainny	41	Sooder	Asharom Kur, sooder	26 — —	Thurlah.	—
	9. D^o Jaunobee	20	Ditto	Ramnarrain Doss, sooder	21 May —	Cusbah.	—
	10. D^o Sheedhee	45	Hajaum	Myarom, hajaum	19 June —	Ditto.	—
	11. D^o Doorgah	50	Bhaut	Ramjehun, bhaut	12 Nov. —	Amergong.	—

MOORSHEDABAD DIVISION:

Beerbhoom (3) -	1 Musst Needhan Koomaree	40	Koitin - - -	Dolanee, koit - -	8 Feb. 1821 -	Deoghur -	from the darogah's report, it appears that the aforesaid Nudhan Komaree of her own free will burnt herself along with her husband's corpse, and that there existed no prohibitory reasons for her becoming a suttee.
	2. Dº Srimeitte Thakooranee.	50	Brahmin - -	Khoodirom Mookerjea - -	21 July —— -	Keogong -	from the darogah's report, it appears that the aforesaid Srimuttee Thakooranee of her own free will burnt herself along with her husband's corpse on the banks of the Ganges, and that there existed no prohibitory reasons for her becoming a suttee.
	3. Dº Unoopoorna Thakooranee.	70	Ditto - - -	Bisember Bhatacheruj - -	25 Nov. —— -	Shakooleepoor -	from the darogah's report, it appears that the aforesaid Unoopoorna Thakooranee of her own free will burnt herself along with her husband's corpse, and that there existed no prohibitory reasons for her becoming a suttee.

N. B.—Besides that the above, on the 19th November 1821, Mussumaut Kishoree Debeea, aged 50 years, the widow of Nubkoomar Chukerbuttee, who died within the thannah jurisdiction of Kusba, determined to burn herself, and ascended the funeral pile along with her husband's corpse; but after being somewhat singed in different parts of her body, she fearfully desisted. It appears this woman died a natural death on the 15th December, having been supported by her relations, though considered by them as having lost her cast after her descent from the funeral pile.

Bhaugulpore -	- - - -	- -	- - -	— none —			
Joint Magistrate, Monghyr.	- - - -	- -	- - -	— none —			
Dinagepore (1) -	1. Musst Bhaigbuttee	70	Pullee - -	Neelarom, pullee - - -	19 July 1821 -	Takooryoan -	on the 3d of June died Oodbul Pullee Chaichoo; his widow wished to burn, but was dissuaded from doing so by the mohurer of Thannah Romee Sunkole, who was deputed by the thannahdar. On the 10th of February died Deboo Pullee, whose widow, named Neeloo, wished to burn, but she was dissuaded from it by the thannahdar of Hemoolabad.
Joint Magistrate at Malah.	- - - -	- -	- - -	— none —			
City Moorshedabad	- - - -	- -	- - -	— none. —			

N. B.—On the 2d of October in the evening, a report arrived from the darogah of Shahnugur, stating that Mussumaut Komal Debya, aged 65 years, was desirous of burning on the funeral pile of her husband, who had died at the age of 70 years; as there appeared to be no objection according to the bewastah of the pundits of the sudder dewanny adawlut, and the magistrate being unable to proceed himself to the place where the suttee was to occur, he issued strict orders to the darogah to follow implicitly the instructions furnished for his observance on similar occasions. The darogah communicated to Mussumaut Komal Debya, the orders he had received, but she still persisted on her determination to burn with her husband's body. The darogah, being a Hindoo, said, before she could burn she must undergo the test, viz.—that of putting her finger into the fire to try if she were a true suttee The woman on hearing this became alarmed, and not being able to bear the pain gave up the idea of burning with her husband's corpse.

Purneah - -	- - - -	- -	- no suttee has taken place during the past year				
Rajeshahye - -	- - - -	- -	- - -	— none —			
Rungpore (1), for 1820	1. Musst Hurmala -	16	Kybutit - -	Hurgovind Doss, kybutit -	12 Oct 1820 -	Mulung	this woman burnt of her own accord.
Rungpoor (7), for 1821.	1. Dº Purdeibee -	22	Rajbunsee -	Bundee doss, raujbunsee -	15 Jan. 1821 -	Deemla	this woman appears to have ascended the funeral pile voluntarily; no drugs were administered to her, or had she any family.
	2. Dº Sob - - -	50	Kahit - - -	Jeebnarruin Doss, kahit - -	19 Fangoon, 1227. B S	Burobaree	this woman burnt of her own accord, she had no children; nor does it appear that any thing was administered to cause intoxication or insensibility.

MOORSHEDABAD DIVISION—*continued.* ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Rungpoor—*continued.*	3. Musst Pooree Dosseeah	50	Saho	Durpnaran, saho	5 Mar. 1821	Peergunge	this woman burnt of her own accord. She had no children; nor does it appear, that any thing was administered to cause intoxication or insensibility.
	4. D° Khanjim	60	Dhoba	Kunsnarrain, dhoba	28 — —	Wulleepore	ditto.
	5. D° Sindooree	20	Rajebunsee	Hateeram, rajebunsee	28 — —	Fugeergunge	ditto.
	6. D° Sooseela	25	Ditto	Gunganarrain Doss, ditto	11 Sawun 1228. B.S.	Burobaree	ditto.
	7. D° Beelashee	50	Ditto	Bhukree Doss, ditto	11 Nov. 1821	Fugeergunge	ditto.
Joint Magistrate of Rungpoor.	1. D° Beconee	60	Rajbunsee	Beedoor	18 May 1821	Thanahs Gowalpara, Beerjorah, Pergunnah Khotaghat.	the place where the suttee occurred being about twenty coss from the thannah, notice was not given to the police darogah.
PATNA DIVISION:							
Behar (2)	1. Musst Soopny	50	Koirin	Khidoo Kairee	2 Nov. 1821	Thannah Dawoodnugur	none.
	2. D° Sonarse	30	Dosadin	Dussayin Dosad	9 Dec. —	Ditto.	—
Joint Magistrate of Behar, at Monghyr.				—none.—			
City Patna (5)	1. D° Muhtabo	65	Brahmonee	Sewnath Pattuck, brahmin	25 Feb. —	Chauk Kullan.	—
	2. D° Ramkoar	25	Koormin	Humath, koormie	24 June —	Sherpoor.	—
	3. D° Kubit	70	Rajpootin	Telum Sing, rajpoot	12 Oct. —	Rickrum.	—
	4. D° Bundho	50	Dhobin	Khurghsen, dhobee	18 — —	Ditto.	—
	5. D° Bhola	40	Babhunie	Hurtal Singh, babhun	13 Nov. —	Ditto.	—
Ramghur (6)	1. D° Moonga	18	Bamhun	Purbodhee Singh, bamhun	8 Mar. —	Chitterpoor	this woman appears to have voluntarily burnt herself, after her husband had been dead 20 days, with his turban.
	2. D° Sumoa	60	Pasee	Muneear Pasee	13 April —	Aurungubad	this woman appears to have voluntarily burnt herself with the body of her husband.
	3. D° Joyekooner	70	Kherwar	Bahadoor Sing, kherwar	18 June —	Huntergunge	ditto.
	4. D° Sowkulee	40	Kaeth	Joyemungul Sing, kaeth	8 July —	Aurungubad	this woman appears to have burnt herself after her husband had been dead some days.
	5. D° Beesoondye	40	Kaeth	Dureeao Sing, kaeth	10 Aug. —	Ditto	this woman appears to have voluntarily burnt herself with the body of her husband.
	6. D° Bheenkee	35	Hujam	Jeelwn Hujam	14 — —	Ditto	ditto.
Chota Nagpoor	1. D° Jeet Coonur	40	Kherwar	Rajah Kumul Sahy, kherwar	30 July —	Burwa	ditto.
Sarum (15)	1. D° Khooshallow	40	Raujpootin	Woojea Raee, raujpoot	27 Jan. —	Chuprah	Mussumaut Khooshallow voluntarily burnt herself on the funeral pile of her deceased husband. She left no children, nor was she pregnant.
	2. D° Khuturranee	40	Bhauteen	Kossee Hoowar, bhut	30 — —	Ditto	Mussumaut Khuturranee voluntarily burnt herself on the funeral pile of her deceased husband. She left no children, nor was she pregnant.

3. Musst Geendeeh	90	Brahmonee	Dinah Miser, brahmin	31 Mar. 1821	Derauley	Mussumaut Geendeeh voluntarily burnt herself on the funeral pile of her deceased husband.
4. D° Beelasee	70	Loobarin	Neehaul, lohaur	20 May —	Sewaun	Mussumaut Beelasee voluntarily burnt herself on the funeral pile of her husband.
5. D° Ramraujeeah	23	Raujpootin	Purwaun Rae, rajpoot	24 — —	Derauley	Mussumaut Ramraujeeah, on the death of her husband, went into a mangoe top, some distance from her dwelling-place, and burnt herself in a heap of arhur wood, unknown to the parents; and, on hearing this, the father of the deceased carried the corpse to the same place, and burnt it with the ashes of the woman. Mussumut Ramraujeeah left two daughters, one aged 5 and the other 3 years. A perwannah was issued to the thannahdar, to send in the deceased's father and other relations, an answer was returned, that they had left their homes on business, and that when they came back they should be sent in; another summons has been sent through the thannah, but no return has yet been made.
6. D° Roochulla	35	Brahmin	Radhy Ooja, brahmin	25 May 1821	Hoosaypoor	Mussumaut Roochulla voluntarily burnt herself on the funeral pile of her deceased husband. She left no children, nor was she pregnant.
7. D° Moohurree	49	Ditto	Mahurbaan Tewarree, brahmin	27 — —	Hoosaypoor	Mussumaut Moohurree voluntarily burnt herself on the funeral pile of her husband, leaving a son aged 9 years, and a daughter of 1 year old. The usual moochulkah has been taken from the brother of the deceased for the maintenance of the children.
8. D° Sillwuntee	35	Ditto	Auchumbit Tewarree, brahmin	31 — —	Futtehpore	Mussumaut Sillwuntee voluntarily sacrificed herself on the funeral pile of her deceased husband, leaving a daughter of 5 years old. The usual moochulkah has been taken from the brother of the deceased for the support of the child.
9. D° Tallasee	age unknown.	Goowallin	Pame, goowalla	3 June —	Hoosaypoor	Mussumaut Tallasee voluntarily sacrificed herself on the funeral pile of her deceased husband. She left no children, nor was she pregnant.
10. D° Kaubootturree	ditto	Brahmanee	Gooraurnee Zemindar, brahmin	28 — —	Seevaun	Mussumaut Kaubootturree voluntarily sacrificed on the funeral pile of her husband. She left no children, nor was she pregnant.
11. D° Bussuntee	80	Brahminee	Khemkurrun Deceit, brahmin	9 July —	Seevaun	The thannahdar's report is, that Mussumut Bussuntee went clandestinely and sacrificed herself, after her husband's corpse was consumed, at the same place and on the same pile as that on which his remains were burnt, and after the friends of the deceased had left the spot. This seems very improbable, as the funeral party never quit the spot till the pile is completely burnt, and the fire put out. The thannahdar took security from a man named Baneeram, who fired the pile of the deceased husband, for his appearance, if he should be called for; but the magistrate ordered the report to be kept in the dufter, and Baneeram to be set at liberty.
12. D° Chourasee	25	Ditto	Auchraujoojah, brahmin	19 July 1821	Hoosapoor	Mussumaut Chourasee voluntarily burnt herself in a heap of arhur wood, and without the knowledge of any one, twelve years after the death of her husband. Ramdeal Oojah, father of Auchrauj Oojha, deceased, was summoned before the magistrate, and for not giving timely information at the thannah he was confined, without labour or irons, for three months.

PATNA DIVISION—*continued*							
ZILLAHS.	NAMES of, SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Sarun - - *continued.*	13. Muss^{t} Koolwantee	50	Koiteen - -	Juggernauth, kait - - -	17 Sept. 1821 -	Butturoha - -	Toorunt Lall, brother of Juggurnauth Singh, deceased, states, that Mussumaut Koolwantee, on receiving the information of the death of her husband, (who died at Shuihur) wished voluntarily to burn herself with the turban of her deceased husband, and that when he had, the rest of her friends would not give her any assistance, but sent information to the thannah; that she began to expostulate with them, when a blaze of fire broke out in her clothes by itself, on which they supplied the required wood. She left no children, nor was she pregnant; the report was ordered to be sent into the dufter.
	14. D° Lutchmuneee -	30	Koiteen - -	Toolseerom, kait - - -	3 Nov. 1821 -	Tajepoor - -	Mussumaut Lutchmee voluntarily burnt herself on the funeral pile of her husband: she left no children, nor was she pregnant.
	15. D° Oochee - -	18	Rajpootin - -	Juggonauth Raee, rajpoot -	12 Dec. — -	Boggha - -	Mussumut Oochee was at her father's house; on receiving the information of the death of her husband, she went to her father-in-law's, and voluntarily burnt herself; it is said she left no children, nor was she pregnant. From the thannah reports, it appears that some of the people who were acquainted with her, state, that her age was 12, and others, that it was 18: a perwannah has been sent to the thannahdar to send in the parties concerned, that the fact may be better ascertained.
Shahabad (39)	1. D° Luchea - -	30	Rajputeen - -	Rampersaud, rajpoot - -	2 Jan. — -	Ramghur - -	the widow burnt herself on the funeral pile of her husband, and the ceremony appears to have been conducted according to the Shaster, no *disqualifying* circumstance existing; in this case the sacrifice was performed before the arrival of the police.
	2. D° Moteea - -	28	Kahareen - -	Beharee, kahar - - -	28 — -	Belauntee - -	ditto - - ditto. Information reached the thannah after the completion of the sacrifice.
	3. D° Bukhtee -	80	Ditto - - -	Hoolas, kahar - - - -	2 Feb. — -	Doomroun - -	ditto - - ditto. The sacrifice was over before the arrival of the police.
	4. D° Motee - -	40	Koithin - - -	Goordeal Doss, kaith - -	2 — -	Mohoneah - -	ditto - - ditto. Information reached the thannah after the sacrifice.
	5. D° Ustoornee -	30	Sonarin - - -	Sheodeal, sonar - - -	8 — -	Doomraun - -	the widow, eight years after the death of her husband, communicated her intention to burn herself, the information of which was immediately conveyed to the police officers, who repaired to the spot, but it being a distance of four coss, could not arrive there previous to her burning; it was ascertained that she was burnt agreeably to the Shaster, with the exception of her not burning on her husband's pile.
	6. D° Bhoodeeah -	36	Goolin - - -	Luchmun, goola - - -	2 Mar. — -	Doomraun - -	this widow burnt herself on the funeral pile of her husband, and at the ceremony she left an infant two years old to the care of its grandfather; no information reached the police until two days after.

7. Muss^t Punwa	26	Soonda	Burgee, soondee	7 Mar. 1821	Kurrunje	the widow burnt herself on the funeral pile of her husband before information of her intention could reach the thannah; she had three children, aged 8 and 3 years, and the last 9 months, which were placed under the care of their relatives, and the usual ikrarnamah subsequently furnished by them by order of the magistrate.
8 D° Soobunsee Kooner	70	Raujpootin	Ousan Sing, rajpoot	16 — —	Saringa	the widow burnt herself on the funeral pile of her husband and the ceremony appears to have been conducted according to the Shaster. Information sent to the thannah after the ceremony.
9. D° Phoolbausee	60	Raujpootin	Bishnat Sing, rajpoot	23 — —	Kurremje	ditto - - ditto. Sacrifice was completed before the arrival of the police.
10. D° Jeyturra	60	Brahmin	Kishnapandah, brahmin	5 Apr. —	Doomraun	- - - - - ditto.
11. D° Teyja	80	Koormin	Bhora, koormee	25 — —	Ditto	the widow burnt herself with the turban of her husband, who died at Buteeah, zillah Sarun; the ceremony was conducted according to the Shaster: police not on the spot.
12. D° Soogranee	30	Kulwarin	Ramsahoy, kurwar	22 May —	Ditto	the widow burnt herself on the funeral pile of her husband before information was conveyed to the police; the ceremony was conducted according to the Shaster.
13. D° Jooree	40	Goalin	Talamaund, goora	31 — —	Ditto	the widow burnt herself on the funeral pile of her husband before the arrival of the police, leaving a child of 2 years old, which was placed under the care of the deceased's sister at the time of the suttee. The usual ikrarnamah for the child's support was subsequently furnished by order of the magistrate.
14. D° Unpee	30	Mallah	Oodrun, mallah	13 — —	Ditto	the widow burnt herself on the funeral pile of her husband before the intimation of her intention reached the thannah; she had a child of 6 months old, which was placed under the care of her nearest relation, who subsequently furnished the usual written agreement for the child's support, agreeably to the magistrate's order.
15. D° Baila	16	Brahmonee	Nemdhur Nisr, bramun	10 June —	Ditto	the widow being prevented by her relations from burning with the body of her husband, completed the sacrifice with his turban, before information was sent to the police, the sacrifice was illegal.
16. D° Phakeea	25	Koormin	Sahaee Sing, koormee	20 — —	Mohoneah	the widow burnt herself thirteen days after the death of her husband, previous to information being given to the police officers; no disqualifying circumstances existed in this case.
17 D° Munbansua	70	Brahmunee	Issur Nisr, brahmun	5 July —	Doomraun	the widow burnt herself on the funeral pile of her husband, and after the ceremony, which was conducted according to the Shaster, information was sent to the thannah
18. D° Tullamundee	20	Kulwarin	Cohecheen, culwar	12 — —	Belountee	- - - - - ditto.
19. D° Agundeea	50	Sorarin	Goodree, sodar	12 — —	Burrawn	one day after the death of her husband, the widow was burnt with his turban, no disqualifying circumstance existing; information sent to the thannah after the ceremony was over.
20. D° Peearun	75	Kaethin	Ramhit, koeth	13 — —	Ramghur	the widow burnt herself on the funeral pile of her husband, the ceremony being conducted according to the Shaster, but before the arrival of the police.

PATNA DIVISION—continued.							
ZILLAHS	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Shahabad continued.	21. Muss^t Beerunchee	30	Bawbeenee	Sutram Zemindar, baubhun	19 July 1821	Doomraun	the widow on hearing the death of her husband, who was a sepoy, burnt herself with his turban, no disqualifying circumstances existing; information sent to the thannah after the sacrifice.
	Memorandum: N° 22. is omitted in the original.						
	23. D° Chowraseeah	14	Rajpootin	Bussun Singh, rajpoot	17 Aug. —	Ditto	the police arrived towards the close of the ceremony, too late to prevent it, being an illegal suttee.
	24. D° Khooshaulee	80	Candoon	Jeyram, candoon	21 — —	Arrah	the widow twenty years after the death of her husband communicated her design of being a suttee, which was intimated to the police officers, previous to whose arrival she burnt herself with the clothes of her husband, no other disqualifying circumstances existing.
	25. D° Mana	19	Rajpootin	Laulbahadoor Rae	3 Sept. —	Doomraun	the widow burnt herself in the funeral pile of her husband; the ceremony was conducted according to the Shaster; information sent to the thannah after its completion.
	26. D° Joomoonee	32	Kaithin	Mundhuta Doss	15 — —	Behauntee	the widow ten years after the death of her husband communicated her intention of burning, the ceremony was performed agreeably to the Shaster, the information was sent to the thannah after its completion.
	27. D° Soogundee	80	Brahmunee	Richau Nisr, bramin	18 — —	Doomraun	the widow burnt herself on the funeral pile of her husband before information was sent to the thannah, the ceremony appears to have been conducted and agreeably to the Shaster.
	28. D° Loungee	30	Mullchin	Roop Mullah	18 — —	Belountee	the husband of the widow died on his way home from Benares; the widow immediately on hearing his death burnt herself, but the ceremony was performed, which was conducted agreeably to the Shaster, before information was sent to the police.
	29. D° Chitreea	50	Koharin	Soobuns, kahar	20 — —	Kurrunje	the widow burnt herself on the funeral pile of her husband, and the ceremony was performed agreeably to the Shaster, but without information being conveyed to the thannah.
	30. D° Munbasseea	70	Ditto	Bhondoo, kahar	23 — —	Ditto	ditto.
	31. D° Husseea	60	Brahmunee	Sheonarain Pundah, brahmin	12 Oct. —	Doomraun	ditto. Information received after the ceremony.
	32. D° Nundoo	70	Ditto	Ashloke Oopodheea, brahmin	12 — —	Sarinja	the suttee was in all respects legal, and performed in the presence of the police.
	33. D° Kubbooturree	30	Goalin	Bhitehook, goala	30 — —	Doomraun	the suttee was also a legal one, but concluded before the arrival of the police.
	34 D° Sulhuntee	25	Brahmunee	Sooumur Thakoor, brahmin	5 Nov. —	Belountee	ditto, and before information was conveyed to the thannah.
	35. D° Bitchno	25	Rajpootin	Munraj Rae, rajpoo	11 — —	Ekwaree	in this case the widow burnt with the corpse of her husband before the arrival of the police, leaving a daughter 2½ years old, who was confided to the care of her uncle, in the presence of the tukhadars, and other head men of the village, at the time of the suttee, and the usual written engagement was subsequently furnished by him agreeably to the orders of the magistrate.

	36. Musst Rutchlee -	12	Brahmin - -	Sheeoghulam Misr, brahmin -	14 Nov. 1821 -	Belountee -	in this case the woman was of the brahmin cast, under age, betrothed, but not married; burnt with the turban, and no information sent to the police. The nearest relation who set fire to the pile is on security to take his trial before the court of circuit.
	37. D° Jeesee - -	20	Hujjamin -	Gooderee, hujjam - - -	26 — — -	Muhunnea -	the husband, a sepoy, died near Calcutta; the widow burnt with his helmet immediately after, in the presence of the police officers, no disqualifying circumstances existing.
	38. D° Chinda - -	60	Koormin -	Soobunsee, koormee - -	16 Dec. — -	Mohoneah -	the widow burnt herself four years after her husband's death; the ceremony appears to have been conducted agreeably to the Shaster, but before information was sent to the police.
	39. D° Puttusseea -	19	Brahminee -	Sunsaw Pundeh, brahmin -	19 — — -	Doomraun -	the widow burnt herself on the funeral pile of her husband previous to the arrival of the police; the ceremony appears to have been conducted agreeably to the Shaster.

On the 26th February 1821, the darogah of thannah Arrah reported to the acting magistrate, that on the 22d of that month, Soogur Gorite brought information from Chin Chuprah, distant 5 coss, N. E. from the thannar, that Chutterdharee Pautuck of the brahmin cast, had died five or six days before, and that his widow designed to burn herself. The police officers instantly repaired to the spot to prevent the execution of her intention, on their arrival it appeared that she had abandoned her design, and she was left under charge of the headman of the village.

Tirhoot (1) -	1. Musst Bahatee -	60	Nooneaine -	Bhurrut, nooneeah - - -	28 Aug. 1821 -	Kurnoul -	after the suttee took place, information thereof was conveyed to the thannahdar, but it appears from the darogah's report, that Bahatee has left a son of about 30 years of age, and there were no circumstances attending it which would have warranted his preventing it, had he obtained earlier information.
JointMagistrate, Zillah Tirhoot, at Monghyr.	- - - - -	-	- - -	— none. —			

BAREILLY DIVISION:

Agrah (1) - -	1. Muss Darro - -	50	Aheer - - -	Buljeet, aheer - - -	8 July 1821 -	Thannah Bah -	the interference of the police would have been improper under the explanation of the sudder dewanny adawlut.
Allighur (1) -	1. D° Utto - -	50	Carpenter - -	Rutteh, carpenter - - -	29 Mar. — -	Moorsaum.	
Bareilly - -	- - - - -	-	- - -	— none. —			
JointMagistrate, Shahjehanpore.	- - - - -	-	- - -	— none. —			
Cawnpore (5) -	1. D° Lulloeea - -	28	Chumar - -	Meendooa, chumar - -	23 May - -	Bithoor - -	N° 1.—Burnt herself with the body of her late husband, and has left two sons, first son about 15 years of age, and the second aged about 12. Doorjuna, the uncle of the children, has undertaken the charge of bringing them up.
	2. D° Bukhtee - -	19	Brahmin - -	Satawan, brahmin - - -	22 July - -	Aureeah Khanpore	N° 2.—Burnt herself with the body of her late husband, and she has left no children.
	3. D° Reekea -	75	Rajpoot - -	Munear Sing, rajpoot - -	4 Aug. — -	Akberpoor Beerbur	N° 3—Burnt herself with the body of her late husband, and has left a son aged about 35 years.

BAREILLY DIVISION—*continued.*

ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Jurisdiction.	REMARKS.
Cawnpoor—*continued.*	4. Mussᵗ Suhjoo	32	Brahmin	Ramchurn, brahmin	13 Sept. 1821	Suchindy	Nº 4.—Illegally burnt herself with the clothes of her late husband, Ramchurn, after a period of one month and nineteen days from the date of his demise in Calcutta, and has left a son aged about 8 years; and his uncle Lochun has undertaken the charge of bringing him up, and has filed the usual engagement to that effect.
	5. Dº Munna Baee	60	Ditto	Roda Bhut, brahmin	14 Oct. —	Bithoor	Nº 5.—Burnt herself with the body of her late husband, and has left no children.

In cases Nᵒˢ 1 and 4, the suttees appear to have been at variance with the order of the nizamut adawlut; in the latter case the police darogah has been reprimanded.

ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Jurisdiction.	REMARKS.
Etawah (4)	1. Mussᵗ Bichutur Koir	70	Brahmin	Lallgee, brahmin	2 Mar. 1821	Bebamow	this case does not appear to require any remark.
	2. Dº Dhunnah	35	Koomar	Mya, koomar	16 — —	Ghurwar	this person, though excluded by the bewastas from this rite, was burnt before the police officers could arrive and interfere.
	3. Dº Soorroop Koour	50	Brahmin	Manick, brahmin	18 Aug. —	Etawah	no persuasion on the part of the police officers could prevent this woman from sacrificing herself.
	4. Dº Mankour	30	Bukul poorwar	Choteh, bukul poorwar	18 Sept. —	Luckhna	ditto.
Furruckabad (1)	1. Dº Chunneea	50	Brahmenee	Rognath, brahmin	9 Oct. —	Thannah Tolgram	no particular circumstance attended this suttee.
Mooradabad (1)	1. Dº Koonur	17	Khangee	Nynah, khangee	28 Dec. —	Hussunpoor	on the 28th December 1821, a person named Ramdhunnah, cast chumar, an inhabitant of a village named Gunga Cholce, reported at the thannah of Hussunpoor, that Mussumaut Mya Koonur, the widow of Nynah, cast khangee, who had died four years previously, had arrived at Gunga Cholee, in the house of Bhola, her father-in-law, with intention to perform suttee with the garments of her husband, on which the thannahdar repaired to the village in question, where he ascertained, that previous to his arrival the sacrifice had taken place. The thannahdar apprehended three persons, namely, Bhola, her father-in-law, Seerhoo, her father, and Jeesookh, her uncle, with several other persons, and dispatched them to the court; the three above-named persons were made over for trial before the court of circuit, on the 10th January 1821.

N. B.—On the 28th May 1821, a person named Bhoomul Rai, cast kait, an inhabitant of Choundousee, reported at the thannah of Goonnour, that a year and a half having elapsed since his brother named Sewarom had died, his wife Mussumaut Khooba, aged 20 years, proposed to perform suttee at Raj Ghaut. The thannahdar being unwell, sent the jummadar, with some burkundazes to prevent the sacrifice: the jummadar reasoned with the woman, and endeavoured to prevent the sacrifice, without effect; he then made the thannahdar acquainted with the circumstances. Dyanath, the thannahdar, although in bad health, repaired instantly to the spot, where he found a very large assemblage of people, in the presence of whom the woman washed and prepared herself, and sat on the pile, having with her the turban of her deceased husband; Bhomul Rai then set fire to the wood. When the flames reached the woman's body, she jumped out of the fire; her relations immediately tried to force her into the flames; but the thannahdar rescued her, though she was much burnt; he then apprehended the persons concerned in the sacrifice, viz. Bhomul Rai, Hurbhujjun, and Pertaub, defendants, and sent them, with the woman, to the magistrate. One person, Bhomul Rai, was committed for trial: the woman having become an outcast, the sum of four rupees a month has been paid to her for subsistence.

ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Jurisdiction.	REMARKS.
Meerut				— none. —			
Joint Magistrate, Bolundshuhur.				— none. —			

Saharunpoor (2)	1. Muss^t Rannie -	18	Brahmin - -	Soundhoo, brahmin - - -	9 Feb. 1821 -	Jewllapora -	this suttee was performed at her own request, immediately after the death of her husband, in the presence of the policedar; they left no children, and no marks of irregularity appeared throughout the ceremony.
	2. D° Munkour - -	20	Ditto - - -	Gourie, brahmin - - -	24 July — -	Konnerwalla -	this suttee was performed at her own request, immediately after the death of her husband, in the presence of the policedar; they left no offspring, and no marks of irregularity appeared throughout the ceremony.
BENARES DIVISION.							
Allahadad (4)	1. Muss^t Koowurree -	64	Buneea kushurwanee.	Bheekhai, buneea - - -	10 Feb. 1821 -	Bharutgunge -	she burnt herself voluntarily on the funeral pile of her husband.
	2. D° Munee - -	70	Brahmin pragwal.	Munsuram, pragwah - -	21 April — -	Yaheeapoor Cutwatee, Allahabad	she burnt voluntarily on the funeral pile of her husband:
	3 D° Doola - -	30	Mooraee - -	Oomraee, mooraee - - -	29 June — -	Surai Akel - -	she had a son of 7 years of age; she burnt herself voluntarily on the funeral pile of her husband, making over her child to the brother of her husband, who executed an ikrarnamah engaging to support him.
	4. D° Keerpa Munee	50	Kait Bengalee	Lilmony, kait - - - -	19 July — -	Kydgunge, Allahabad.	she burnt herself voluntarily on the funeral pile of her husband.
Futtehpoor				— none —			
Banda (5.) - -	1 Muss^s Deokee -	70	Chumar - - -	Punchuma, chumar - - -	28 Jan. — -	Peunda - -	this suttee took place without information having been previously sent to the thannah, for which reason the zemindars were fined twenty rupees, and the chokeedars discharged.
	2. D° Hunsee - -	60	Kachee - -	Himmut, kaihee - - -	13 Feb. — -	Ditto - - -	this suttee took place without information having been previously sent to the thannah, for which reason the zemindars were fined forty rupees, and the chokeedars were punished with thirty rattans each.
	3. D° Choonee - -	20	Kaeet - -	Alum, kaeeth - - - -	20 Mar. — -	Sewra - - -	this suttee took place without information having been previously sent to the thannah, for which reason Bholla, the eldest brother of the deceased Alum, was fined twenty rupees.
	4. D° Phooleeay -	30	Lodhe - - - -	Kusseeya, lodhe - - -	21 June — -	Turhuttee - -	this suttee took place without information having been previously sent to the thannah, for which reason the zemindars were fined fifty rupees. The deceased left behind her a daughter, aged 8 months.
	5. D° Sookeeya - -	50	Bakal - - -	Woodwut, bakal - - -	29 Sept. — -	Badausa - -	this suttee took place agreeably to the Shaster.
Bundlecund, Northern Division, (3.)	1. D° Moharajeea -	30	Kait - - - -	Assah - - - - -	16 June — -	Sossolar - -	previously to the arrival of the police officers on the spot, she voluntarily burnt herself with the body of her husband, agreeably to the Shaster, she did not pay the least attention to the remonstrances of the zemindars, who were present at the sacrifice; she left one daughter to the care of her own relations. The police officer was a Mahomedan.
	2 D° Heerah - -	50	Brahmonee -	Incharom - - - -	22 Nov. — -	Bhuddeek - -	she voluntarily burnt herself with the body of her husband, in the presence of the police officers; she paid no attention to their remonstrances; and left one daughter to the care of her uncle. The police officer was a Hindoo.

BENARES DIVISION—*continued.*

ZILLAHS.	NAMES of SUTTEES.	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Bundlecund, Northern Division: (*continued.*)	3. Her name is unknown.	40	Buckul	Chukerrouth	25 Nov. 1821	Kooneh	she voluntarily burnt herself with the body of her husband, agreeably to the Shaster; she left no children. The police officer was a Hindoo.
City Benares (12)	1. Muss^t Gogo Bye	7	Brahmin	Apa Josee	3 Feb. —	Caul Bhyro.	—
	2. D° Buhya Bye	39	Ditto	Gopeenath	26 - —	Ditto.	—
	3. D° Mudho Monee	70	Ditto	Sreenath Josee	1 April —	Ditto.	—
	4. D° Jy Doorgah	45	Ditto	Rampersaud	14 - —	Ramapoora.	—
	5. D° Benarosee Bye	50	Ditto	Goand Ba	14 May —	Dussusmeyde.	—
	6. D° Mundodurry	62	Ditto	Cawul Noyan	3 June —	Caul Bhyro.	—
	7. D° Mohissee Thakooranee.	85	Ditto	Rughoonath Lahory	15 - —	Ramapoora.	—
	8. D° Unpoorna Thakoorainee.	60	Ditto	Ramroodur Banerjea	30 - —	Ditto.	—
	9. D° Chuttora	60	Ditto	Sudasheo	2 Aug. —	Ditto.	—
	10. D° Pholla	60	Rajpoot	Udhun Singh	30 - —	Surrai Moghul.	—
	11. D° Chotee, alias Doorgah Bye.	45	Brahmin	Dheeh Pundit	28 Oct. —	Chuck.	—
	12. D° Buckta	20	Ditto	Bissundya	28 - —	Mirzamaraud.	—
Ghazeepoor (35)	1. D° Soorjee	75	Kulwarrin	Lall Sook, kulwar	17 Jan. —	Bhuralee	heard of her husband's death in Calcutta, and burned with his turban previous to the arrival of the police.
	2. D° Pobhurai	60	Kundoo	Bundoo, kundoo	4 Feb. —	Rutteesara	burned previous to the arrival of the police.
	3. D° Lubbea	40	Tutheera	Seewuk, tutheera	22 - —	Ghosee	ditto.
	4. D° Bunseeah	16	Dhobin	Ablak, dhoobee	1 Mar. —	Bulleeah	ditto.
	5. D° Bhurmanee	30	Boochar	Soonat Rae, boochar	3 Apr. —	Cheryiah Cote	ditto.
	6. D° Lugnee	50	Taillee	Boodoo, taillee	10 - —	Russerah	ditto.
	7. D° Deojaunee	25	Brahmonee	Chukouree, brahmin	16 - —	Cheryiah Cote	ditto.
	8. D° Ajenassee	20	Rajpootin	Mukun, rajpoot	22 - —	Azimgurh	ditto.
	9. D° Tuphessia	17	Buhmwar	Goorcherrund, buhmwar	29 - —	Cohyryiah Cote	heard of her husband's death, and burned with his turban previous to the arrival of the police.
	10. D° Mungunnee	12	Brahminee	Munnee Parae, brahmin	30 - —	Nugrah	illegal, but burned before the police arrived.
	11. D° Neolussia	22	Kulwarrin	Heerah, kulwar	6 May —	Bausahee	fifteen days after her husband's death burned with his turban, before the police arrived; left a child 2 years of age to the care of her husband's brother.
	12. D° Phobhuria	22	Kuthik	Pobhun, kuthik	8 - 1822	Bulleeah	heard of her husband's death, and burned with his stick previous to the arrival of the police.
	13. D° Jhulnee	16	Kusserwanee	Ram Taile, kusserwanee	27 - —	Reothee	burned, but previous to the arrival of the police.
	14. D° Husreania	25	Rajpootin	Hurdial Rae, rajpoot	7 June —	Bhurolee	burned with her husband's body; left a child 10 months of age to the care of Gopaul Rae, who entered into a bond with the police to take care of the child.
	15. D° Sookullia	12	Aheerin	Boodooa, ahir	10 - 1821	Secunderpoor	illegal; burned with her husband's turban two days after his death, before the police arrived.
	16. D° Luckeea	20	Soonarin	Sirhee, soonar	18 - —	Bulleeah	burned, but before the arrival of the police.

17. Muss^t Nugnee	25	Ugurwallin	Rambuksh, ugurwallin	15 June 1821	Mone	no remark.
18. D^o Akulleea	40	Kohireen	Hurkoo, kohiree	18 — —	Reotheepoor	went on the pile three months after her husband's death to burn with his turban, but returned very much burned and died two days afterwards
19. D^o Jusseea	90	Rajapootin	Keeroorae, rajpoot	20 — —	Secunderpoor	no remark.
20. D^o Knoshallee	40	Ditto	Judhoo Bhur, ditto	21 — —	Ditto	burned nine years after her husband's death, with his stick, before the police arrived.
21. D^o Deokullee	15	Ditto	Bundoo Sing, ditto	31 — —	Bansahee	illegal, but burned before the police arrived.
22. D^o Neowlee	40	Ditto	Joobjaj Rae, ditto	10 Aug. —	Ditto	burned twelve years after her husband's death, before the police arrived.
23. D^o Kutheea	40	Koormin	Kurtha, koormee	13 — —	Purhabanee	no remark.
24. D^o Bubhooa	2	Brahmin	Pohsoo, bhura	13 — —	Ditto	ditto.
25. D^o Hireeah	30	Mullahin	Goordial, mullah	16 — —	Bulleeah	burned one year after her husband's death, with his turban, before the police arrived.
26. D^o Soobunsia	30	Rajpootin	Ramessa Rae, rajpoot	16 — —	Rutsun	burned one year after her husband's death, with an effigy of grass, before the arrival of the police.
27. D^o Sookeea	90	Mullahin	Rajhe, mullah	17 — —	Reothee	no remark.
28. D^o Kheeria	20	Hulwain	Ramcherrund, hulwah	18 Sept. —	Mahomedabad	ditto.
29. D^o Gurundhee	12	Brahminee	Madhorom, brahmin	19 — —	Bulleeah	illegal, burned with her husband's turban before the police arrived. Two of the relations are committed to the court of circuit for trial, but are at large on their own recognizance.
30. D^o Lugnee	40	Soonarin	Surroop, soonar	4 Oct. —	Ditto	burned, but before the police arrived, left two children of two and four years of age; the husband's brother entered into a bond with the police to take care of the children.
31. D^o Luonghee	50	Rajpootin	Balroop, rajpoot	6 — —	Ditto	burned five years after her husband's death, before the police arrived.
32. D^o Moongheea	30	Kulwarin	Dihal, kulwar	8 — —	Bhurolee	burned four months after her husband's death, with his turban, before the police arrived left one child two years of age; the relations entered into a bond with the police to take care of the child.
33. D^o Poorunwushia	50	Ditto	Seewan, kulwarin	9 — —	Nundgunge	burned eighteen days after her husband's death, with his turban, before the police arrived
34.	-	-	Girdharee Parce, brahmin	-	Cassimabad	went on the pile, but returned after the fire was kindled.
35. D^o Sheoo Lugnee	-	Ditto	Sheoonarrain, kulwar	-	Nugrah	went on the pile the day after her husband's death, to burn with his turban; returned after the fire was kindled.

Copy of a Letter from the Magistrate of Zillah Ghazeepoor, to Benares Court of Circuit.

I HAVE the pleasure to forward the prescribed annual report of suttees. Nothing particular occurs to mention upon the subject. I am of opinion, that any immediate compulsatory measure to stop the performance of this rite, would be premature, and might occasion a general and unfavourable sensation in the public mind, for a few years more, (I cannot say how many), we must be contented to permit a continuance of the practice. The interference of the magistrate is gradually becoming more efficient, as the rules become more generally known, and this easy gradation is, I think, very much as it should be The next step, perhaps, would be to get another bewastah condemning the practice in toto, and a concurring resolution from a number of brahmins in various parts of the country, to abandon it. I shall not conceive either of these measures at all impracticable, if attempted gradually and cautiously.

Goruckpoor (44)	1. Muss^t Gunjea	70	Brahmin	Roopdhur, brahmin	20 Jan. 1821	Chowkee Bhugulpore.	—
	2. D^o Gowsaneeah	80	Auheer	Ghoorun, auheer	2 Feb. —	Thannah Guzpoor.	—
	3. D^o Roopeea	59	Ditto	Bussun, auheer	12 — —	Ditto - Purrowna.	—
	4. D^o Sadheeah	30	Koeery	Lallie, koeery	12 Mar. —	Ditto - Bansee.	—
	5. D^o Jhundoola	60	Kyeth	Koodie Doss, kyeth	21 — —	Ditto - Purrowna.	—
	6. D^o Haman Chulie	70	Nohaur	Balkissen, nohaur	29 — —	Ditto - Salimpore Mujholee.	—

BEARES DIVISION—*continued.*

ZILLAHS.	NAMES of SUTTEES	AGE.	CAST.	NAME AND CAST of her Husband.	DATE of Burning.	In what Police Jurisdiction.	REMARKS.
Goruckpoor—*continued.*	7. Musst Narainee	80	Brahmin	Bisrom Pundeh, brahmin	30 Mar. 1821	Chowkee Doomeragunge.	——
	8. D° Gungajullee	59	Auheer	Persaud, auheer	1 April —	Thanah Purrowna.	——
	9. D° Ooraheea	14	Koormee	Bulwunt, kormee	3 – —	Ditto - ditto.	——
	10. D° Auturnee	80	Culwar	Nunbode, culwar	13 – —	Ditto Silimpoor Mujholee.	——
	11. D° Anosanee	32	Kyeth	Shueckurn Sing, kyeth	16 – —	Ditto Gopaulpore.	——
	12. D° Koolasura	40	Bhooeehaur	Dolip Roy, bhooeehaur	16 – —	Chowkee Burhulgunge.	——
	13. D° Sunhara	17	Kyeth	Hurbuns Doss, kyeth	18 – —	Ditto - ditto.	——
	14. D° Rugbunsee	25	Brahmin	Juggernauthrom, brahmin	10 May —	Thannah Sonechura.	——
	15. D° Punawah	22	Bokaul	Rampersaud, bokaul	17 – —	Ditto Gopaulpore.	——
	16. D° Soonugnee	45	Tatara	Munsa, tatara	16 June —	Chowkee Bhagulpore.	——
	17. D° Soogundee	60	Bunwour	Shue Doss, bunwour	19 – —	Thannah Munsoorgunge.	——
	18. D° Soomateea	25	Kyree	Byjnath, kyree	23 – —	Chowkee Burhulgunge.	——
	19. D° Belleeah	25	Bhur	Nund, bhur	27 – —	Ditto Casseeah.	——
	20. D° Gowree	22	Culwar	Munsa, culwar	7 July —	Ditto - ditto.	——
	21. D° Bussunteea	50	Brahmin	Goound Tewaree, brahmin	22 – —	Cutwally, town of Goruckpore.	in this case Mussomaut Bussunteea leapt twice from the pile and attempted to escape; she was twice thrown back by her relations, who surrounded the pile, and forcibly detained her there until consumed. This took place in the presence of the cutwal of the city, who, with all others proved to have been concerned, are committed for trial to the judge of circuit.
	22. D° Mooghea	35	Chumar	Chutter, chumar	27 – —	Thannah Pilimpore Mujhore.	——
	23. D° Takonee	25	Kadoo	Munrokhun, kadoo	30 – —	Ditto - ditto.	——
	24. D° Guzputtee	40	Bhooecaur	Sookhee, bhooecaur	30 – —	Ditto Purrowna.	——
	25. D° Doomnee	40	Kyree	Hureel, kayree	31 – —	Ditto - ditto.	——
	26. D° Lutchmoneea	16	Kussodhun	Suful, kussodhun	3 Aug. —	Ditto Amoora.	——
	27. D° Goomunteea	28	Brahmin	Deepun Tewaree, brahmin	13 – —	Ditto Lawtun.	——
	28. D° Murcheea	40	Kadoo	Doolaur, kadoo	5 Sept. —	Ditto Purrowna.	——
	29. D° Jaunmoteea	20	Brahmin	Oud Pandah, brahmin	7 – —	Ditto - ditto.	——
	30. D° Sodhunee	14	Ditto	Chundur Pandeh, brahmin	8 – —	Chowkee Burhulgunge.	——
	31. D° Cherunjee	12	Ditto	Sudhoo Sukool, brahmin	8 – —	Ditto - ditto.	——
	32. D° Sookeeah	40	Nohaur	Dursun, nohaur	19 – —	Ditto Silimpore Mujholee.	——
	33. D° Gadun	25	Brahmin	Narrain Tewaree, brahmin	23 – —	Thannah Purrowna.	——
	34. D° Depeeah	60	Ditto	Madhoputh Tewaree, brahmin	11 Oct. —	Chowkee Bhagulpore.	——
	35. D° Suroopah	40	Ditto	Lohur Tewaree, brahmin	28 – —	Cutwally, town of Goruckpore	——
	36. D° Joycoowaree	25	Ditto	Byjoo Tewaree, brahmin	31 – —	Chowkee Burhulgunge.	——
	37. D° Kunchun	62	Rajpoot	Petumbergobind Roy, rajpoot	3 Nov. —	Purrowna.	——
	38. D° Geerja	50	Brahmin	Dulmeen Tewarree, brahmin	14 – —	Ditto Silimpore Mujholee.	——
	39. D° Poneeah	45	Holwoyee	Hurdial, Holwoyee	16 – —	Chowkee Bhagulpore.	——
	40. D° Soomuntra	80	Brahmin	Bhekee Patuck, brahmin	27 – —	Ditto - ditto.	——
	41. D° Hunsranee	25	Ditto	Doorgachurn Pandeh, brahmin	5 Dec. —	Thannah Hussienpore Mugher.	——
	42. D° Toreeah	20	Rajpoot	Khadan Roy, rajpoot	6 – —	Chowkee Belwah.	——
	43. D° Lollmuttee	35	Brahmin	Sirdharom Tewaree, brahmin	24 – —	Ditto Bhowahparah.	——
	44. D° Ruchula	40	Ditto	Rammewus Misser, brahmin	7 June —	Thannah Silimpore Mujholee.	——

Juanpore (2)	1. Musst Umirtee	50	Brahmin	Golal, brahmin	1 Nov. 1821	Soojangunge thannah	—
	2. Do Hunsa	40	Rajpoot	Nurkoor Sing, rajpoot	21 Dec. —	Deogah thannah	—
Mirzapoor (9)	1. Do Hurbunsee	16	Rajpoot	Dilraj, rajpoot	10 Mar. —	Thannah Sydrajah	Mussumaut Hurbunsee burnt with her husband previously to the arrival of the police officers on the spot, although dissuaded from sacrificing herself.
	2. Do Belasa	50	Brahmin	Kewulrom, brahmin	9 April —	Cotwallee Mirzapoor	ditto.
	3. Do Basee	40	Kayet	Prawnnauth, kayeth	10 — —	Thannah Cutchwa	ditto.
	4. Do Moortah	30	Aheer	Ramdial, aheer	11 — —	Ditto Killiah	ditto.
	5. Do Beelasee	27	Brahmin	Sheolol, brahmin	18 — —	Ditto Beejygurh	Mussumaut Beelasee burnt a few days after the death of her husband; she had two children, one 5 years and the other 2 years of age, who were delivered to the care of their uncle; the thannahdar was ordered to take the prescribed agreement from the uncle.
	6. The name not known	80	Kayet	Gopeenauth, kayeth	25 Oct. —	Thannah Gopeegunge	—
	7. Musst Nundo	50	Brahmin	Bhowun, brahmin	27 — —	Mirzapoor	—
	8. Do Sheomanee	13	Beend	Jhingaee, beend	22 Nov. —	Thannah Beejygurh	Mussumaut Sheomanee burnt with her husband before the arrival of the police officers on the spot.
	9. Do Jeena	30	Brahmin	Bynath, brahmin	19 Dec. —	Thannah Birrah	Mussumaut Jeena had a child 3 years and 2 months of age, who was delivered to the care of her husband's brother; the thannahdar was directed to take an agreement for the support and nurture of the child.

(signed) *W. H. Macnaghten,*
Acting Register.

(N° 11.)—ABSTRACT STATEMENT of the Number of Hindoo Widows who were burnt, or buried alive, in the Zillah and Cities, during the year 1821.

ZILLAH and CITIES.	NUMBER of SUTTEES.				
	1821.	1820.	1819.	1818.	1817.
CALCUTTA DIVISION:					
Burdwan - - -	62	57	75	132	98
Hooghly - - -	95	93	115	141	112
Jessore - - -	31	25	16	23	21
Jungle Mehals - -	39	18	31	61	43
Midnapore - - -	6	12	15	22	7
Nuddea - - -	59	59	47	80	88
Suburbs of Calcutta -	39	47	52	43	39
24 Pergunnahs - -	33	26	39	31	20
Total - -	364	337	388	533	428
CUTTACK COMMISSION.					
Cuttack - - -	18	17	13	11	14
J^t Mag^e at Khoorda -	9	14	9	–	–
J^t d° at Pooree -	1	2	11	–	–
Total - -	28	33	33	11	14
DACCA DIVISION					
Backergunge - -	3	3	6	1	9
Chittagong - -	4	3	7	3	6
Dacca City - -	26	18	15	25	18
Dacca Jelalpoor -	7	8	6	5	5
Mymensing -	–	1	–	1	1
Sylhet - - -	1	1	–	1	–
Tipperah - - -	11	17	21	22	13
Total - -	52	51	55	58	52
MOORSHEDABAD DIVISION:					
Beerbhoom - -	3	5	5	4	9
Bhaugulpore - -	–	–	–	–	2
J^t Mag^e at Monghyr -	–	–	–	–	1
Dinagepoor - -	–	–	–	–	6
J^t Mag^e at Malda -	–	2	1	1	1
Moorshedabad City -	–	3	6	6	7
Purneah - - -	–	2	–	1	4
Rajeshahye - -	–	1	–	2	1
Rungpore - -	8*	8	12	15	11
J^t Mag^e - - -	1	–	1	1	–
Total - -	12	21	25	30	42

ZILLAH and CITIES.	NUMBER of SUTTEES.				
	1821.	1820.	1819.	1818.	1817.
PATNA DIVISION:					
Behar - - -	2	1	5	2	–
Patna City - -	5	5	2	3	5
Ramghur - - -	6	4	5	4	2
Chatanaugpoor -	1	–	–	–	–
Sarun - - -	15	11	10	23	25
Shahabad - -	39	19	17	25	14
Tirhoot - - -	1	2	1	–	3
J^t Mag^e at Monghyr -	–	–	–	–	–
Total - -	69	42	40	57	49
BAREILLY DIVISION:					
Agrah - - -	1	1	1	1	2
Allighur - - -	1	–	–	2	2
Bareilly - - -	–	–	–	–	1
J^t Mag^e at Shajahanpore	–	2	1	–	–
Cawnpoor - -	5	6	3	5	3
Etawah - - -	4	3	2	3	3
Furruckabad - -	1	–	2	–	1
Moradabad - -	1	1	2	1	–
Meeruth - - -	–	–	–	–	1
Bolundshuhr - -	–	1	–	–	–
Seharunpore - -	2	6	6	1	6
Total - -	15	20	17	13	19
BENARES DIVISION:					
Allahabad - -	4	4	4	3	5
J^t Mag^e at Futtehpore	—	1	2	1	1
S. Dⁿ Bundlecund -	5	1	3	11	5
N. d° - d° - -	3	3	2	4	9
Benares City - -	12	11	18	15	16
Ghazeepoor - -	35	34	26	43	27
Goruckpoor - -	44	32	28	52	33
Juanpoor - -	2	4	1	3	2
Mirzapoor - -	9	13	8	5	5
Total - -	114	103	92	137	103
Grand Total - -	654	597	605	839	707

(signed) *W. H. Macnaghten*,
Acting Register.

---

* One of these suttees occurred in 1820.

N° 12.—Extract from the Proceedings of the Nizamut Adawlut, under date the 24th May.

Remarks and Orders of the Court of Nizamut Adawlut, on the Suttee Reports and Statements for the year 1821.

Present;
W. Leycester, Esquire, Chief Judge;
C. Smith, S. T. Goad, J. T. Shakespear, Esquires, and Puisne Judges; and
W. Dorin, Esquire, Officiating Judge.

Par. 1. THE court of nizamut adawlut having had before them the reports of suttees, received through the courts of circuit, from the several zillah and city magistrates in the Lower and Western Provinces, for the year 1821, together with detailed and abstract statements prepared from those reports, record the following remarks and orders:

2. The court observe, that the total number of Hindoo widows ascertained to have been burned or buried alive in 1821, exhibits an increase of the number of fifty-seven above the number of the same description of the preceding year*.

Decrease in detail.

	No. of Suttees.
Moorshedabad Division:	
In 1820 - - -	21
— 1821 - - -	12
Decrease - -	9
Bareilly Division:	
In 1820 - - -	20
— 1821 - - -	15
Decrease - -	5

Increase in detail.

Calcutta Division, including Cuttack:	
In 1820 - - -	370
— 1821 - - -	392
Increase - -	22
Dacca Division:	
In 1820 - - -	51
— 1821 - - -	52
Increase - -	1
Patna Division:	
In 1820 - - -	42
— 1821 - - -	69
Increase - -	27
Benares Division:	
In 1820 - - -	93
— 1821 - - -	114
Increase - -	21

3. The decrease in detail of the number of suttees in the divisions of Moorshedabad and Bareilly, and the increase in the divisions of Calcutta, Dacca, Patna, and Benares, are here noticed.

4. The total numbers for the four past years are as follow:

In 1818 - - - - -	839
— 1819 - - - - -	650
— 1820 - - - - -	597
— 1821 - - - - -	654

5. The court proceed now to notice the suttees which have taken place in opposition to the promulgated rules, and to record their remarks and orders on those of the magistrates statements which appear to require them.

---

* Total Number of

Suttees in 1820 - -	597
D° - in 1821 - -	654
Increase - -	57

Lower Provinces:

CALCUTTA DIVISION:

Zillahs.	No. of Suttees.
Burdwan:	
In 1821 - - -	62
– 1820 - - -	57
Increase -	5

6. The court observe, that in this district there were reported to have occurred within the last year sixty-two suttees: explanations are afforded by the magistrate in only two cases, in which it is stated that the ages of the women could not be ascertained, in consequence of the sacrifices having been completed before the arrival of the police; from which it is inferrable, that the officers of government had timely information, and were present at all the rest. The establishment of this fact would evince extraordinary vigilance on the part of the police, and the magistrate will be called upon to declare whether or not the conclusion of the court as to this particular be well founded.

Cuttack; including the joint magistracies of Khoordah and Balasore:	
In 1820 - - -	33
– 1821 - - -	28
Decrease -	5

7. The court observe, that eighteen suttees are reported to have occurred in the immediate jurisdiction of the magistrate of Cuttack during the past year, and that only one within the jurisdiction of the joint magistrate stationed at Balasore is reported, but within that of the joint magistrate of Khoordah, nine are reported to have occurred. With respect to those cases which occurred within the places immediately subordinate to the magistrate of Cuttack, only two explanations have been afforded, one of which exhibits illegality on the score of non-age. In the case of Mussumaut Kumlah, N° 18. of the statement, it was clearly competent to the magistrate to have punished as for a misdeameanor, the washerman Rajeb, who pushed the woman into the fiery pit, as assisting at a sacrifice not wholly voluntary; and that it would have been preferable to have omitted entering into an investigation rather than to have released the offender without punishment, after he had been convicted of the offence. The court conclude that no legal impediment existed to any of the rest; but the magistrate will be informed, that the court expect a brief remark to accompany each case in future, to be abstracted from the reports of his police officers. The same observation is applicable to the statement furnished by the joint magistrate of Khoordah.

Hooghly:	
In 1821 - -	95
– 1820 - -	93
Increase -	2

8. In this district ninety-five suttees are represented to have happened during the past year. The court conclude that they were all legal; but from the total want of explanation, there exists a slight degree of uncertainty on this point. It does not appear whether the officers of police were present or not at any of these sacrifices. The magistrate will be desired to furnish a brief statement of each case in future.

Jessore:	
In 1821 - -	31
– 1820 - -	25
Increase -	6

9. The court observe, that in the instance of Khama Daby, a woman of the brahminical bribe is said to have sacrificed herself by the rite of anoomurun, and the magistrate has omitted to notice the illegality. The omission will be brought to his notice for his future guidance.

Jungle Mehals;	
In 1820 - -	18
– 1821 - -	39
Increase -	21
and Midnapore:	
In 1820 - -	12
– 1821 - -	6
Decrease -	6

10. The statements from these districts do not appear to require any particular observation, except that they are totally destitute of remark. This circumstance will be brought to the notice of the magistrates of those and other districts generally; and they will be required to furnish, in future, a brief explanation of each case, to be abstracted from the reports of their police officers, distinguishing whether the sacrifice took place by the ceremony of anoomurun, *i. e.* cremation at a time subsequent to the burning of the husband's corpse; or suhumurun, *i. e.* burning together with the husband's corpse; and stating whether the deceased left any children, and their ages; whether the police officers were present or not; and, generally, any other particulars that they may consider worthy of insertion.

Zillahs.	No. of Suttees.
Nuddeah:	
In 1821 - -	59
– 1820 - -	59

11. Fifty-nine suttees are stated to have occurred in this zillah during the past year; but the statement does not seem to require any particular observation. The magistrate will be informed that the court will, in future, expect that his remarks in each case be more circumstantial.

Suburbs of Calcutta:	
In 1820 - -	47
– 1821 - -	39
Decrease - -	8

12. The Court observe, that in the case of Mussumaut Ruttunmunee, N° 1; of Mussumaut Unno, N° 17; of Mussumaut Joymunee, N° 20; and Mussumaut Puddoo, N° 34, of the statement, engagements were taken from several persons for the maintenance of the children of the deceased, although they were in each instance considerably older than the age prescribed for its being necessary to exact engagements. The court conclude, as the magistrate was not legally authorized to demand these engagements, that they were in each case entered into voluntarily. In the case of Mussumaut Cashemunee, N° 24 of the statement, the court observe, that as the magistrate remarks there was no legal objection to the measure, it was needless to take recognizances from the relations for their appearance when required.

24 Pergunnahs:	
In 1821 - -	33
– 1820 - -	26
Increase -	7

13. The court observe, that in the case of Mussumaut Bhaughbutty, N° 23 of the statement, it appears that an engagement was taken from the step-brother for the support of the minors; but the court remark, that such engagements are legally requisite only in case the age of the infant or infants belonging to the widow, intending the sacrifice, shall not exceed three years. The remarks of the statements received from this zillah, in general, are not sufficiently circumstantial to be entirely satisfactory to the court.

DACCA DIVISION:

Backergunge:	
In 1821 - -	3
– 1820 - -	3

14. No particular remark seems necessary with reference to the three suttees which took place in this district.

Chittagong:	
In 1821 - -	4
– 1820 - -	3
Increase - -	1

15. In the case of Mussumaut Suttunee, N° 2, the deceased is stated to have been of the Hindoo cast; but this term is too general, and the magistrate should be called on to state to what particular tribe she belonged. The court conclude, that all the cases noticed were cases of sukamurna; that is to say, that the deceased were burnt on the same funeral pile with the corpses of their husbands, and that they laboured under no legal disability; but it would have been more satisfactory to the nizamut adawlut to have received some explanation in the column appropriated for remarks. Magistrate to be informed accordingly, and to be desired to state, in all future cases, whether or no the police officers were in attendance.

City of Dacca:	
In 1821 - -	26
– 1820 - -	18
Increase -	8

16. In the case of anoomurun, N° 4, Mussumaut Ram, (reported to have occurred within this jurisdiction) it does not appear whether the widow, when she performed the rite, was in possession of her husband's turban, sandal, or other relic, a circumstance which is indispensable to the legality of the sacrifice. It does not appear either to what circumstance the delay of a day was attributable. The want of sufficient explanation, noticed in the report from the preceding jurisdiction, is applicable to this also.

Dacca Jelalpore:	
In 1820 - -	8
– 1821 - -	7
Decrease - -	1

17. The court remark, that in the case of Mussumaut Joymunee, N° 3, it is observed, that she had two sons aged from ten to twelve years, and two daughters from eight to ten years; and that in the case of Mussumaut Purusmony, N° 6, that she had a daughter sixteen years old, and three sons aged from eight to eleven and twelve years. In each of these cases it appears, that engagements were taken for the support of the minors until their majority; but the court remark, that such engagements are legally requisite only in case the age of the infant or infants belonging to the widow, intending the sacrifice, shall not exceed three years.

Zillahs.	No. of Suttees.
Mymensing:	
In 1820	1
1821	none
Decrease	1
and	
Sylhet:	
In 1820	1
— 1821	1

18. The court are happy to find, that in the former of these districts no suttees occurred during the past year, and that in the latter only one is reported. The report in the latter case is, however, unsatisfactory, as describing the woman by the general term "Hindoo," and as being unaccompanied by any remark. The magistrate will be reminded of these remissions, and desired, in future, to state, whether the police officers were or were not in attendance during the ceremony.

Tipperah:	
In 1821	11
— 1820	17
Decrease	6

19. Of the eleven sacrifices reported to have occurred within this jurisdiction during the past year, two were performed by self-burial instead of burning, a mode of suicide peculiar to the jogee tribe. The court presume that there existed no legal impediment to the performance of the sacrifice by cremation in the other cases; but the magistrate should be informed, that a brief explanation will in future be expected from him to elucidate the nature of the case, and with a view of enabling the court satisfactorily to ascertain the absence of all illegality.

MOORSHEDABAD DIVISION:

20. The court are happy to observe, that no suttee is reported to have occurred in the districts of Bhaugulpore (including the joint magistracy of Monghier), Purneah, Moorshedabad, Dinagepore, (including the joint magistracy of Maldah and Rajeshahye), during the past year. The court observe, that in the Moorshedabad jurisdiction one woman appears to have been dissuaded from her purpose by the police officers, and two by the same means in that of Dinagepore.

Beerbhoom:	
In 1820	5
— 1821	3
Decrease	2

21. Only three suttees appear to have occurred in this jurisdiction during the past year, and one woman seems to have retracted her intention. The cases were not attended by any peculiar circumstances.

Rungpore:	
In 1820	9
— 1821	8
Decrease	1

22. In the district of Rungpore, eight suttees are stated to have occurred, but they do not appear to have been accompanied by circumstances of legal disability.

PATNA DIVISION:

Behar:	
In 1820	1
— 1821	2
Increase	1

23. Only two cases of suttee are reported from this district. It is presumed that they were legal, but no explanation is afforded, nor is it even mentioned whether or no the police officers were present. The magistrate to be desired to communicate further particulars in future.

City of Patna:	
In 1820	5
— 1821	5

24. The above remark is equally applicable to the city of Patna, from which five suttees have been reported.

Ramghur, including Chota Nagpoor:	
In 1820	4
— 1821	7
Increase	3

25. The case of Mussumaut Mooriga, N° 1, the court observe, that the woman being of the brahminical order, (*Bamhun*, vide remark to case N° 21, of the Shahabad statement) the sacrifice of anoomurun was illegal; but neither in this instance, nor in any of the other five reported from this district, is it stated whether the police officers were in attendance or not at the performance of the ceremony. The magistrate will be reminded of this omission, and desired to furnish more ample details in future.

Zillahs.	No. of Suttees.
Sarun:	
In 1820 - -	11
— 1821 - -	15
Increase - -	4

26. The circumstances under which Mussumaut Ramraujeah, N° 5; Mussumaut Bussurtee, N° 11; Mussumaut Chowrassee, N° 12, and Mussumaut Koolwuntee, N° 13, are represented to have performed the sacrifice of suttee, are extremely improbable; and if proved, they would from their illegality take the several cases out of the predicament of the sacrifice of suttee, and reduce them to simple suicides. In the case of Mussumaut Chowrassee, the court remark, that the father of the deceased husband was summoned before the magistrate, and for not giving timely information at the thannah, was confined without labour or irons for three months. The court are concerned at being again compelled to witness the practice of an irregularity which has repeatedly met their animadversion. The magistrate will be called on to explain by what rule or authority he considered himself competent to take criminal cognizance of the omission to furnish timely information. In the case of Mussumaut Silwuntee, it was not legally incumbent on the magistrate to take a moochulka from any person for the support of the child, its age exceeding three years, but the court trust the person from whom it was taken acted freely and voluntarily. No mention having been made of the police officers, the court conclude that they were not present at any of the ceremonies.

Shahabad:	
In 1821 - -	39
— 1820 - -	19
Increase -	20

27. In this district there would appear to have occurred thirty-nine female sacrifices during the past year, of which twelve were performed according to the rite of anoomurun, and twenty-seven according to that of sahamurun; among those of the former class the court observe, that in the case of Mussumaut Ustoornoo, N° 5, the ceremony was clearly illegal, the widow being of the brahminical tribe, and having burnt herself eight days after the death of her husband; but the acting magistrate has noticed the illegality, and has observed, that the sacrifice was completed before the police could reach the spot, and that the ceremony was subsequently ascertained to have been regularly and legally performed in all respects, except as to the period of cremation. In the case of Mussumaut Boodhea, N° 6, the court conclude that the person who took charge of the infant entered into the prescribed moochulka for its due maintenance and provision. In the case of Mussumaut Baila, N° 15, which is another instance of anoomurun, the sacrifice would appear to have been illegal, inasmuch as the widow having had an opportunity of burning herself with the corpse, and on the funeral pile of her husband, was not at liberty subsequently to ascend another pile. By the term "prevented" used by the magistrate, the court understand "dissuaded." The illegality however of the act has been noticed by the magistrate, but no preventive measures could be adopted, the sacrifice having been completed before the arrival of the police officers. In the case of Mussumaut Agundee, N° 19, the court conclude the widow was not with her husband on the day of his death, or that some disqualifying circumstances existed to prevent her cremation with the corpse. Mussumaut Beerunchee, N° 21, whose cast is described to be that of a zemindar bamhunee, is represented as having performed the rite of anoomurun, and nothing has been advanced against the legality of the act. The court understand that this class of people are brahmins, to whom so great a share of reverence is not shown, in consequence of their descending to agricultural employment, as is shown to those brahmins who abstain from engaging in secular avocations. Under this view of the case, the general rule prohibitory of the performance of the rite of anoomurun, by those of the brahminical tribe, must embrace this sect also. The magistrate, however, will be called on to state whether there exists any other shade of difference between them and other brahmins. The court remark with concern another instance of illegal suttee, in the case of Mussumaut Chowrasea, N° 23, whose age is stated to have been only fourteen years. It is observed, that the police officers arrived towards the conclusion of the ceremony, but too late for the purpose of prevention. In the case of Mussumaut Loungee, N° 28, the court conclude that the widow who performed the rite of anoomurun was in possession of the turban, sandal, or other relic of her deceased husband, when the law requires that the rite in question should be performed. There would seem also in this instance to have been another point of illegality unnoticed. The magistrates were informed by a circular order from the nizamut adawlut, dated the 25th of June, 1817, that it had been held by the pundits, that a woman who being absent from her husband at the time of his death, does not perform the rite of anoomurun immediately on be-

coming acquainted with that event, cannot be considered a patibrata, or devoted to her lord, and is not at liberty to burn herself at any subsequent period. Also, that a woman who being present at the time of her husband's death, and unrestrained by a legal impediment, omit the act of suhumurun (burning with the body of the deceased), cannot be considered a patibrata, or devoted to her lord, and is not at liberty to burn herself at any subsequent period. In the instance of Mussumaut Loungee, it is not stated whether she was along with, or absent from, her husband at the time of his death; but it is extremely improbable that she should have been uninformed of that event until after the lapse of ten years. The same remark applies to the case of Mussumaut Chanda, N° 38, who is stated to have burnt herself four years after her husband's death; and it applies also with greater force to the case of Mussumaut Khooshhalee, N° 24, who is represented as having burnt herself twenty years subsequently to the decease of her husband. In the case of Mussumaut Rutchlee, a brahminee, aged fourteen, who burnt herself along with the turban of the person to whom she was betrothed, but not married, the court observe, that the nearest relation, who set fire to the pile, has been committed to take his trial before the court of circuit; but the court conclude, that independently of the illegality of the transaction, it must have been ascertained from the investigation made by the magistrate, that the sacrifice was not altogether voluntary, so as to induce him to consider the commitment of the assisting relation to be requisite. The court observe, that the police officers were present only on one occasion of the performance of the rite of suttee in this district; and that on another occasion they proceeded to the place where an intended illegal suttee of a brahminee woman was about to take place, but that the intention on the part of the woman was abandoned prior to their arrival.

Zillahs.	No. of Suttees.
Tirhoot:	
In 1820	2
— 1821	1
Decrease	1

28. In this district the court observe with pleasure, that only one suttee occurred during the past year, and that one does not appear to call for any particular remark.

WESTERN PROVINCES:

BAREILLY DIVISION:

Zillahs.	No. of Suttees.
Agrah:	
In 1820	1
— 1821	1
Furruckabad:	
In 1820	none.
— 1821	1
Increase	1
Allighur:	
In 1820	none.
— 1821	1
Increase	1
Meeruth; including joint magistrates of Butundshuhur.	
In 1820	1
— 1821	none.
Decrease	1
Bareilly; including joint magistracy of Shajehanpore.	
In 1820	2
— 1821	none.
Decrease	2

29. The court have much satisfaction at observing, that within the two latter jurisdictions not any sacrifices of suttee occurred during the past year, and only one in each of the former jurisdictions.

Zillahs.	No. of Suttees.
Cawnpore:	
In 1820 - - -	6
— 1821 - - -	5
Decrease -	1

30. The court observe, that in the case of Mussumaut Lulloea, N° 1 of the statement, the youngest of the children left by her being twelve years of age, it was not necessary to require any person to enter into any engagement for their support. The same remark is applicable to the case of Mussumaut Suhjoo, N° 4 of the statement. The court observe, that the magistrate has noticed two illegal instances of suttee.

Etawah:	
In 1820 - - -	3
— 1821 - - -	4
Increase -	1

31. The four cases of suttee which are reported to have occurred in this jurisdiction do not appear to call for any particular remark.

Moradabad:	
In 1820 - - -	1
— 1821 - - -	1

32. Only one instance of suttee is stated to have taken place in this zillah during the past year. The persons supposed to have been concerned in it have been committed to take their trial before the court of circuit, for although the woman Myakoowur was not legally authorized to perform the sacrifice of anoomurun, she being of the brahminical order, yet it does not appear that her act was involuntary, or that any attempt at force or even persuasion was practised by her relations. The magistrate will be required to state on what grounds he committed the relations of the deceased to take the trial before the court, and what was the offence with which they were charged. The court observe, that this case apparently differs widely from that of Mussumaut Khooba, the circumstances of whose escape from the pile are detailed by the magistrate, in which instance it is stated that on her jumping out of the fire, her relations immediately tried to force her into the flames. This certainly appears to have been a fit case for commitment.

Saharunpore:	
In 1820 - - -	6
— 1821 - - -	2
Decrease -	4

33. Only two suttees are reported to have happened in this district during the past year, and neither of them appear to require any particular remark.

BENARES DIVISION:

Allahabad; including the joint magistracy of Futtehpore.	
In 1820 - -	5
— 1821 - -	4
Decrease -	1

34. Only four suttees are stated to have occurred in this jurisdiction during the past year, and they do not appear to have been attended by any peculiar circumstances.

Banda:	
In 1820 - -	1
— 1821 - -	5
Increase -	4

35. The court observe with regret, that in four out of the five cases of suttee reported to have occurred, the relations of the deceased were fined by the magistrate for not sending previous information to the thannah, and in two of the cases the chokeedars were punished. This is not the first instance in which the court have been called on to reprehend the practice in question. They desire that the fines levied in these instances be immediately restored, and that the magistrate be instructed to refrain in future from the exercise of a power which is altogether unauthorized. The court by no means intend to express an opinion, that intentional omission to communicate information relative to intended sacrifices on the part of those whose special duty it may be to communicate such information to the police officers is not punishable, or that those who may have been proved to have prevented the communication of such information are not fit objects of punishment, but the magistrate has clearly no authority to punish the relations of a deceased suttee for the mere circumstance of their having omitted to acquaint the police officers with her intention. In the case of Mussumaut Phooleeya (N° 4, of the statement), it is remarked, that the deceased left behind her an infant daughter aged only eight months, but no mention is made of the required engagement having been entered into for its support. The magistrate will be desired to adopt the necessary measures to ensure the maintenance of the infant, and should it appear necessary, he will endeavour to prevail on one of the relations of the deceased, or some other respectable person, to enter into an engagement to provide for its support.

Zillahs.	No. of Suttees.
Bundlecund: Northern Division.	
In 1820	3
1821	3

36. Only three instances of suttee are reported to have occurred in this district during the past year. In two of them the deceased left children to the care of her relations under the age of three years, the persons engaging to support them should have been required to execute an engagement to that effect.

City of Benares:	
In 1821	12
1820	11
Increase	1

37. The court observe, that twelve suttees took place in this jurisdiction during the past year, but no explanation or remark is afforded in any one instance to enable the court to judge of the circumstances by which they were attended. The magistrate will be desired to furnish in future a brief statement of each case in the column appropriated for remarks. In the case of Mussumaut Goga Bye (N° 1, of the statement) the age of the deceased is stated to have been only seven years. The court conclude that this must be owing to some numerical error, but the magistrate will be called on to explain the circumstance.

Ghazeepore:	
In 1821	35
1820	34
Increase	1

38. More instances of illegal suttee appear to have occurred in this than in any other district, and out of thirty-five suttees reported, twenty-six are stated to have occurred before the arrival of the police. Those which appear to have been illegal on the score of non-age, are the cases of Mussumaut Mungunnee, aged twelve, of Mussumaut Deo Kullee, aged fifteen, of Mussumant Gurundhee, aged twelve. In the latter instance there was another legal disability to the sacrifice, which was conducted by the rite of anoomurun, the deceased having been a brahminee. In the case of Mussumaut Neolussia, who is reported to have left a child aged two years, it is not mentioned that the person who undertook to provide for its maintenance entered into a written engagement to that effect, as is required. It does not appear for what offence the relations of Mussumaut Gurundhee have been committed to take their trial before the court of circuit; for although, from the circumstance of her non-age, and of her belonging to the brahminical tribe, she was not legally competent to perform the sacrifice of anoomurun, yet it is not stated that her act was involuntary, or that her relations had recourse to violence or other improper means. In the case of Mussumaut Akulleea, N° 18, of the statement, and in the case of the widow of Girdharee Parae, brahmin, and in that of Mussumaut Sheo Lugnee, who are represented as having made their escape, the former of whom died two days afterwards from the effect of the burning, it is not explained by what means they were induced to retract from their purpose, whether from the dissuasions of the police officers, or their own unsolicited inclinations. The magistrate will be desired to furnish a more full explanation on this and the other points above noticed.

Goruckpore:	
In 1821	44
1820	32
Increase	12

39. There occurred forty-four cases of suttee in this district during the past year. In one, the sacrifice would appear to have been compulsory, and the parties concerned have been committed to take their trial before the court of circuit; but this is the only instance in which any remark or explanation has been offered by the magistrate, although in three of the cases, viz. Mussumaut Ooraheea, aged fourteen years; and in the case of Mussumaut Sadhonee, aged fourteen; and of Mussumaut Cherunjee, aged twelve, the ceremony, on the score of non-age, was clearly illegal. The magistrate will be called on to explain this circumstance, and he will be desired, on future occasions, to enter into further particulars in forming his statement.

Juanpore:	
In 1820	4
1821	2
Decrease	2

40. The suttees in this district require no remark.

Mirzapore:	
In 1821	9
1820	3
Increase	6

41. Of the nine suttees which occurred in this district during the past year, two appear to have been illegal, although the illegality is not noticed by the magistrate. Mussumaut Belasee, having been a brahminee, was not competent to perform the rite of anoomurun, and Mussumaut Sheomunee was not competent to ascend the pile by

any mode, she having been only thirteen years of age. The court observe, that a person engaging to maintain a child, in the case of Mussumaut Jeena, was required to enter into an agreement; but this was not necessary, the age of the child left by the deceased exceeding three years at the time. These observations will be brought to the notice of the magistrate.

42. Resolved, That a copy of these remarks and orders, together with the detailed and abstract statement prepared in this office, and the original letters which accompanied the reports, be transmitted to the officiating secretary to government in the judicial department, for the purpose of being laid before his Excellency the most noble the Governor General in Council.

Resolved further, That extracts from the remarks and orders be at the same time forwarded to the several courts of circuit and commissioner of Cuttack, for the formation and guidance of the magistrates, subject to their authority.

(True extract.) (signed) *H. H. Macnaghten*, Acting Register.

Nº 13.—Resolutions.

1. The above reports and statements show an excess of fifty-seven in the number of suttees performed in 1821, compared with the number which occurred in 1820; nevertheless, the number is considerably below the average of the four years preceding, and corresponds very closely with the returns for 1819, the difference in the totals of that year being only four.

2. The following general abstract exhibits a comparison of the number of suttees that have occurred in each district from the year 1817, from which period only the statements submitted to government can be relied upon as complete.

ABSTRACT comparative Statement of the Number of Hindoo Widows who were burnt or buried alive in the Zillahs and Cities during the Year 1821, and four preceding Years.

ZILLAHS and CITIES.	NUMBER of SUTTEES.				
	1821.	1820.	1819.	1818	1817.
CALCUTTA DIVISION:					
Burdwan - - -	62	57	75	132	98
Hooghly - - -	95	93	115	141	112
Jessore - - -	31	25	16	23	21
Jungle Mehals - -	39	18	31	61	43
Midnapore - -	6	12	13	22	7
Nuddea - - -	59	59	47	80	88
Suburbs of Calcutta -	39	47	52	43	39
24 Pergunnahs - -	33	26	39	31	20
Total - -	364	337	388	533	428
CUTTACK COMMISSION.					
Cuttack - -	18	17	13	11	14
Joint Magᵉ at Khoorda	9	14	9	-	-
Joint Dº at Pooree -	1	2	11	-	-
Total - -	28	33	33	11	14
DACCA DIVISION:					
Backergunge - -	3	3	6	1	9
Chittagong - -	4	3	7	3	6
Dacca City - -	26	18	15	25	18
Dacca Jelalpore -	7	8	6	5	5
Mymensing - -	-	1	-	1	1
Sylhet - - -	1	1	-	1	-
Tipperah - - -	11	17	21	22	13
Total - -	52	51	55	58	52

ZILLAHS and CITIES.	NUMBER of SUTTEES.				
	1821.	1820.	1819.	1818.	1817.
MOORSHEDABAD:					
Beerbhoom - -	3	5	5	4	9
Bhaugulpoor - -	-	-	-	-	2
Joint Magᵉ at Monghyr	-	-	-	-	1
Dinagepore - -	-	-	-	-	6
Joint Magᵉ at Malda -	-	2	1	1	1
Moorshedabad City -	-	3	6	6	7
Purneah - - -	-	2	-	1	4
Rajeshahye - -	-	1	-	2	1
Rungpoor - -	8*	8	12	15	11
Joint Magᵉ - -	1	-	1	1	-
Total - -	12	21	25	30	42
PATNA DIVISION:					
Behar - - -	2	1	5	2	-
Patna City - -	5	5	2	3	5
Ramghur - -	6	4	5	4	2
Chota Naugpoor -	1	-	-	-	-
Sarun - - -	15	11	10	23	25
Shahabad - - -	39	19	17	25	14
Tirhoot - - -	1	2	1	-	3
Jᵗ Magᵉ at Monghyr -	-	-	-	-	-
Total - -	69	42	40	57	49

* One of these suttees occurred in 1820.

(continued)

ZILLAHS and CITIES.	NUMBER of SUTTEES.				
BARILLY DIVISION.	1821.	1820.	1819	1818.	1817.
Agrah - - -	1	1	1	1	2
Allighur - - -	1	–	–	2	2
Bareilly - - -	–	–	–	–	1
Jt Mage at Shahajanpoor	–	2	1	–	–
Cawnpoor - - -	5	6	3	5	3
Etawah - - -	4	3	2	3	3
Furruckabad - -	1	–	2	–	1
Moradabad - - -	1	1	2	1	–
Meruth - - -	–	–	–	–	1
Sharunpoor - -	2	6	6	1	6
Bolundshuhur - -	–	1	–	–	–
Total - -	15	20	17	13	19

ZILLAHS and CITIES.	NUMBER of SUTTEES.				
BENARES DIVISION:	1821.	1820	1819.	1818.	1817.
Allahabad - -	4	4	4	3	5
Jt Mage at Futtuckpoor	–	1	2	1	1
South Div. Bundlecund	5	11	3	11	5
North Div. Ditto -	3	3	2	4	9
Benares City - -	12	11	18	15	16
Ghazeepoor - -	35	34	26	43	27
Goruckpoor - -	44	32	40	52	33
Juanpoor - - -	2	4	1	3	2
Mirzapoor - -	9	3	8	5	5
Total - -	114	103	92	137	103
Grand Total - -	654	597	650	839	707

3. The comparative result above recorded does not, in the opinion of the Governor General in Council, afford any satisfactory ground for assuming the practice of concremation to be generally on the decline.

4. In the Moorshedabad Division, indeed, the annual decrease is regular and consecutive; and the total number bears so insignificant a proportion to the population, that his Lordship in Council would fain anticipate the entire disuse of the inhuman ceremony, in that portion of the country, at no distant period. It is worthy of remark, that the reports of the judges, who made the circuits of that division, give reason to conclude that the mortality in the different districts was unusually great during the year 1821; consequently, the favourable result of the abstract, showing no suttee to have occurred in any district of the division, excepting Rungpoor and Beerbhoom, is particularly gratifying.

5. Compared with the year 1820, here is a decrease likewise observable in the Bareilly Division, as pointed out by the nizamut adawlut. Upon extending the comparison, however, into previous years, the same reason does not exist for inferring any favourable change in the sentiments of the people. The number of suttees which occurred in 1820 was unusually large, so as scarcely to be a fit object of comparison: hence, the fluctuation would seem to be purely accidental; on the other hand, however, the total number has been uniformly so extremely low, that it may not be extravagant to hope that the ceremony will, in several districts of this division, likewise fall wholly into disuse. As it is, there has not occurred a single suttee, either in Bareilly or in Meruth, for four consecutive years.

6. In the Dacca Division, the custom seems to be most prevalent in the city and adjacent district of Dacca Jelalpore, and in the zillah of Tipperah. In the latter jurisdiction, the diminution of number for 1821 is rather marked; but this may be casual, while the similarity in the total result for the division in each of the five years included in the abstract, is a circumstance deserving of note.

7. In examining the results for the Patna Division, it is impossible for his Lordship in Council not to be struck by the great increase apparent in the two districts of Sarun and Shahabad, particularly the latter. For this no assignable cause is apparent, no particular mortality having been reported in this district; at the same time that there can be no reason to assume the statements of the past year to have been more full and complete than those of the preceding years. In the other districts of the province there is nothing remarkable.

8. In the Benares Division there is an increase of eleven, or one-tenth in the whole number. This is to be traced to the district of Goruckpore, in which moreover two compulsory suttees have been reported to government, as having occured

within the last two years. The sentence finally passed by the nizamut adawlut upon the parties concerned in the first illegal sacrifice was reported to government, and will be found recorded on the criminal proceedings of the 17th August 1821, N° 28 to 30, (Western Provinces.) His Lordship in Council would wish to be informed of the result of the second trial in this district for the same offence.

9. Next to Goruckpore, the adjacent district of Ghazeepore seems to be that in which the practice of self-immolation is most prevalent; indeed these two districts, with the neighbouring ones of Shahabad and Sarun, form a tract of country in which the population seems nearly as much addicted to the custom as in the zillahs immediately adjoining to the presidency; elsewhere, the rite is of so rare occurrence, as to suggest the inference that when it occurs it is adopted by the widow under some paroxysm of grief and despair that would probably lead to self-murder under any circumstances, while the relations are interested rather in dissuading than in urging the victim to immolation; where, however, the difference in the number of instances is so marked as in these districts, and throughout the Calcutta Division, there is too much reason to conclude that a sort of pride attaches to the performance of the ceremony, and that the women are taught from infancy to believe that by consenting to the immolation, they perform an act, if not of imperative duty, at least one that will redound to their own credit and raise the reputation of their families. On the other hand, that a refusal involves the reproach of cowardice, or of the want of true devotion to their husbands.

10. It is impossible to look upon the returns for the Calcutta Division without being satisfied that a fanatic spirit of this kind must have had influence in producing the numerous cases reported for every district of it, excepting Midnapore. In this view, it is matter of infinite concern to his Lordship in Council to observe, that there is yet no symptom of a diminution at any of the principal places, but that, on the contrary, the total number of the division still maintains its proportion of nine-sixteenths or something more than half of the grand total for the whole territory subject to this presidency.

11. The divided sentiment that exists amongst the Hindoos themselves on the subject of suttees, is doubtless calculated for a time to stimulate the activity of the partizans of the rite, and thus to counteract the benevolent wishes of those inclined to discourage it. Nevertheless, his Lordship in Council does not despair of the best effects resulting from the free discussion of the matter by the people themselves, independently of European influence and interposition; and the resolution having been already adopted by government of not for the present interfering authoritatively for the suppression or better regulation of the custom, it seems to his Lordship in Council, that it only remains for him to watch carefully the indications of a change of sentiment amongst the people that may at times be afforded, and to encourage to the utmost every favourable disposition.

12. In this view, it occurs to his Lordship in Council to be desirable, that besides the mention of the cast of the suttee, the statements should hereafter contain some notice of the husband's profession and circumstances in life, so as to enable government to judge of the degree in which the rite prevails amongst the more opulent and better educated classes, or is confined to the poor and ignorant.

13. It is of course a primary obligation to prevent compulsion, and to assure to the unfortunate victims a power of receding to the last moment, as well a secure retreat in comfort, if not with credit, in case of a retraction of the vow, or of the widow breaking from the pile from inability to endure the flames. If the limited interference, at present exercised by the officers of government, is instrumental in securing these objects, where the safety of the widow would else be doubtful, in the slightest degree, the result is matter of gratulation. In this view, his Lordship in Council cannot contemplate, without satisfaction, that the number of victims saved from the flames after ascending the pile, was in 1821 five, while those induced by persuasion to retract their vow amounted to four; making altogether nine instances of preservation from self-immolation, as detailed *infra*; whereof one only was not effected by the instrumentality or assistance of the police.

STATEMENT OF RETRACTED SUTTEES IN 1821.

DIVISION	NAMES of Districts	NAMES of SUTTEES	AGE.	Retracted.	REMARKS.
Moorshedabad Division	Beerbhoom -	Musst Kishoree Debeea -	50	retracted	after ascending the pile and feeling the flames, saved by the presence of the police.
	Dinagepore -	D° Chaichoo - - -	–	dissuaded	by the police.
	Ditto - - -	D° Neeloo - - -	–	d°	
	Moorshedabad City	D° Komal Debya - -	65	retracted	by the influence of the police officers before ascending the pile.
Patna Division	Shahabad - -	Widow of Chuttardharee Patuk	–	d°	of her own free will before the arrival of the police.
Bareilly Ditto	Moradabad -	Mussr Khooba - - -	20	d°	having left the pile, she was rescued by the police against the will of the relations.
Benares Ditto	Ghazeepore -	D° Akulleea - - -	40	d°	came off the pile scorched, and died two days after.
	Ditto - -	Widow of Girdharee Parae, brahmin	–	d°	descended from the pile after it was lighted, and saved by the police.
	Ditto - -	D° Sheobegnee - -	–	d°	

14. The very commendable minuteness with which the nizamut adawlut have entered on the examination of the returns from the several districts, renders it unnecessary for his Lordship in Council to do more than express his entire concurrence in the sentiments of the court, and his approbation of the principles which have guided their determination in each individual case.

15. Ordered, That a copy of the above resolution be forwarded to the nizamut adawlut for the information of the court, and that the court be requested to procure and furnish government the information alluded to in the 8th paragraph, as well as to enjoin the magistrates to furnish more full information as to the profession and circumstances in life of the parties, in the manner suggested in the 12th paragraph.

16. Ordered also, That the original documents which accompanied the above letter, from the acting register of the nizamut adawlut, be returned to him.

BENGAL Judicial Department, Lower Provinces.

Our Governor General in Council, at Fort William in Bengal.

Par. 1. OUR last letter to you in this department was dated the 18th Dec. 1822.

Answer to paragraphs 51 to 61 of Letter, dated 1st Feb. 1820.

2. We have had before us your proceedings, with the various documents recorded and referred to in your consultations of the 30th July 1819, relating to suttees. You are aware that the attention of Parliament and the public has lately been called to this subject. We are disposed to give you a large discretion in regard to the prevention of suttee, because we are persuaded that no general rule can be laid down with either safety or efficiency; and that the adaptation of particular measures to local peculiarities can only be effected by the Indian governments.

3. After an attentive consideration of all that has been lately received from the several presidencies on this subject, and the very various opinions concerning suttee which have been received from the public officers, it appears that the practice varies very much in different parts of India, both as to the extent to which it prevails, and the enthusiasm by which it is upheld. The necessity, therefore, as well as the policy and probable effect of strong measures of repression, must vary with the varying circumstances of the district.

4. The line of distinction which you have drawn in the circular orders of 1817, between the different cases of suttee, proceeds upon a more general principle,

5. It is undoubtedly the policy of our government to abstain from interference with the religious opinions and prejudices of the natives; and it is, therefore, upon an intelligible ground that you have adopted the rule which permits the sacrifice, when it is clearly voluntary, and conformable to the Hindoo religion, and authoritatively prevents it in all other cases.

6. To us, however, it appears very doubtful, (and we are confirmed in this doubt by respectable authority) whether the measures which have been already taken, in pursuance of this principle, have not tended rather to increase than to diminish the frequency of the practice. Such a tendency is, at least, not unnaturally ascribed to a regulation which, prohibiting a practice only in certain cases, appears to sanction it in all others. And it is to be apprehended, that where the people have not previously a very enthusiastic attachment to the custom, a law, which shall explain to them the cases in which it ought not to be followed, may be taken as a direction for adopting it in all others. Indeed, in a district wherein the practice, if ever known, has fallen into disuse, any public mention of it whatever would appear impolitic, although it would be highly desirable to resist any attempt to revive it.

7. It is, moreover, with much reluctance that we can consent to make the British government, by a specific permission of the suttee, an ostensible party to the sacrifice; we are averse also to the practice of making British courts expounders and vindicators of the Hindoo religion, when it leads to acts which, not less as legislators than as Christians, we abominate.

8. This reasoning we will at present push no farther than to enjoin you, for this as well as for other considerations, to interfere as little as possible. We will not forbid you to act upon the regulation to which we have referred, if you really find that its application diminishes the evil. We wish, however, that neither this plan of discriminating and qualified permission, nor any plan of repression, should be positively and generally prescribed to the magistrates; there should in no case be more than a licence, to be used according to the discretion of those who are acquainted with local circumstances. In a matter so delicate, the same regulation may be safe and wise, or dangerous and impolitic, according to the character of the officer by whom it is to be executed. We know of instances in which a magistrate, having acquired by praiseworthy methods an influence among the natives, has been readily obeyed in a positive prohibition of the sacrifice of a widow. It may be true, that where this occurred the prejudice was not deeply rooted, but still, much was unquestionably owing to the judicious conduct and experience of the magistrate; and an attempt to imitate him by a person not possessing the same qualifications, might be more than unsuccessful.

9. Instances of this nature, therefore, would not warrant us to authorize a general prohibition. But connected with the opinions expressed by many intelligent men, that the practice of suttee is not a tenet of religion to which the people are enthusiastically attached, but rather an abuse, fostered by interested priests or relations, these instances of partial success do lead us to regard the notion of prohibition, modified according to circumstances, of this barbarous custom with rather less of apprehension than it has generally produced. We say this without hesitation, because we are not at all afraid that you will act imprudently upon our declaration. You will take it, as it is meant, for an encouragement to you seriously to consider the subject, and an assurance of our disposition to co-operate in such measures as your superior means of estimating consequences may suggest to you. Assuredly the most acceptable form of success would be, that which would be brought about by such an increase of intelligence among the people as should show them the wickednesss and absurdity of the practice; next to this, we should rejoice to see the abolition effected by influence, and the co-operation of the higher order of natives.

10. It is hardly necessary to add, that measures for protecting the females from violence, and punishing those who administer intoxicating drugs, will have our approbation.

We are, your affectionate friends,

(signed) W. Wigram,
W. Astell,
Geo. Smith,
W. S. Clarke,
C. Grant,
G. Raikes,
C. E. Prescott,
Edward Parry,
J. Thornhill,
J. Baillie,
C. Marjoribanks,
C. Mills, jun.
John Bebb,
J. Bosanquet,
W. F. Elphinstone,
R. C. Plowden,
John Loch.

London, 17th June 1823.

II.—BOMBAY.

Extract of a Letter in the Judicial Department, from the Governor in Council of BOMBAY to the Court of Directors; dated the 25th June 1823.

Letter to the Honourable Court, dated 25 May 1821, Paragraphs 178 a' 200.

139. YOUR honourable court has already received a full report of the line of conduct we have prescribed for the observance of the local magistrate in cases of suttees.

Consultations, 1822. N° 12, 20th March, folio 1834.

Vide printed Proceedings of the Sudder Nizamut Adawlut, Bengal, dated the 29th of April 1813.

140. Under date 24th February last, we received a report from the magistrate of Southern Concan, of the burning of a suttee under the following circumstances: A married brahmin having left his family, and proceeded to Poona, died, and his body was burnt there, but a part of his bones having been conveyed to his family in Rutnageery: notwithstanding the interposition and prohibitory mandate of the sirkumaviesdar, his widow, having two children, the one nine, the other two years of age, proceeded, aided by the elder brother of the deceased, to the performance of the horrid rite of suttee, and was actually burnt with that portion of her husband's bones which were conveyed to her for the purpose; this suttee was therefore consummated contrary to both the letter and spirit of the Shaster. The burning of a bramin woman, except on the funeral pile of her husband, and with his body, being strictly prohibited; and the inhibition rendered operative also on a woman having an infant child under three years of age, "unless some person will undertake to provide suitable maintenance for such child."

141. With regard to the children, their grandmother, of a very advanced age, stated she would take care of them, but this he could not consider as providing for them a suitable maintenance.

142. In respect to a widow burning with the bones of her deceased husband, the former custom of the Concan is understood to be at variance with the Hindoo law; but on a similar occurrence in June preceding, orders were given to the Sirkumaviesdar by the magistrates, to prevent any woman in future burning with only the bones of her husband.

143. The magistrate considering the subject of suttees generally to be one of a very delicate and difficult nature, rather than act as would be regular in ordinary cases of magisterial duty, thought proper to solicit our instruction without in the meantime interfering with the parties.

144. We beg to refer to the sentiments recorded on the occasion: we considered the Sirkumaviesdar of Rutnageery to have done his duty in prohibiting the suttee, and the disregard of his prohibition illegal and justly punishable; that such a step in this instance would have been highly impolitic, and Mr. Sparrow showed great prudence and judgment in forbearing to adopt it. If there be any doubt that it would give offence to interrupt the burning of a suttee, there can be none that it would excite great disgust to punish the deed when it was actually performed; and it is not at all improbable, that it would excite a spirit of discontent, if not of opposition, we therefore considered it expedient that no further notice should be taken of this transaction.

Judicial Cons. 1818. N° 41. 7 Oct. fol. 3111.

145. The species of defeat suffered in this instance led us to doubt the policy of the circular orders themselves; it is possible that the authority of the written law may be greater among the Hindoos of Bengal than among those of the Deckan; and it is more than probable that the long subjection of the former to a Mahomedan government has made them more submissive in points of this nature than the Mahrattas, who have now been under a government peculiarly devoted to their own religion. It might for these reasons be safe to enforce the orders in the one place, and dangerous in the other. In the Mahratta country it is known to be the practice for women to burn, not only with the bones of their husbands, but with his turban or his dagger; this may be contrary to the Shaster, but the Shaster is entitled to no attention, except as it is the object of popular veneration; and if the attachment of the people be in this instance transferred from the written law to their own custom, it is to the custom that we ought to attend; rather therefore than incur the smallest risk of exciting, not the opposition alone, but the jealousy of the natives, we have suspended the orders of 5th October 1818, and beg to refer your honourable court to our instructions on the occasion.

146. The prejudices of the natives are rapidly giving way to the effect of our example; at no very distant period the worst of their delusions will we trust vanish of themselves before the general diffusion of knowledge. By attempting to lop off one branch of their superstition, we run the risk of interrupting the progress of those causes which are already consuming it at the root.

Extract Bombay Revenue Consultations, the 18th November 1820.

Extract from Surgeon Thomas Marshall's Statistical Report on Kalaniddee and Chandgurgh, dated July 29, 1821.

Peculiar Customs:

AN encouragement seems at one time to have been held out to suttees, by granting to the family of the victim a portion of free land, similiar to the provisions already mentioned for the descendants of sepoys killed on service. The instances are far from numerous, and one of them occurs in the family of a dher.

Extract Bombay Judicial Consultations, 20th March 1822.

Read the following Letter.

From the Magistrate in the Southern Concan, dated the 24th ultimo.

Sir,—1. I REQUEST you will do me the favour to lay before the honourable the Governor in Council, the following report on a suttee which recently occurred in the Rutnagerry Talooka.

2. It appears from the accompanying Mahratta papers (which the absence of Mr. Reid and Mr. Shaw, and the extreme heavy press of business both from the districts and at the hoozoor's cutcherry, prevent me from translating) that a married brahmin belonging to a village just without the magisterial jurisdiction of the criminal judge of this zillah, left his family about two months since, and proceeded to Poona, where, on the 2d instant, he died of the cholera. His body was burnt there according to Hindoo custom, but a part of his bones having been conveyed to his family in Rutnagerry, notwithstanding the interposition and prohibitory mandate of the sirkumaviesdar, his widow, having two children, the one nine, the other two years of age, proceeded, aided by the elder brother of the deceased, to the performance of the horrid rite of suttee, and was actually burnt with that portion of her husband's bones, which were conveyed to her for the purpose.

The questions for consideration proceeding out of this baibarous occurrence, are—

1. Does the Shaster admit, or rather does it not prohibit, burning under the circumstances existing in this case?

2. Was the interposition and prohibitory mandate of the ruling power justifiable, and such as it could exercise of right?

4. On the first point, the most attentive reading which I can give the extract from the circular orders and records respecting suttees, passed by the nizamut adawlut at Fort William, and which were forwarded by Mr. Secretary Newnham, under date the 15th October 1818, as the rule for our guidance, and promulgated by Mr. Pelly in this zillah, fully satisfies me that the late suttee at Rutnagerry has been consummated contrary to both the letter and spirit of the Shaster, as handed down and interpreted to us in the bewastas of the pundits of the sudder dewanny adawlut at Fort William. The burning of a brahmin woman, except on the funeral pile of her husband, and with his body, is according to these bewastahs strictly prohibited; and the inhibition is rendered operative also on a woman having an infant child under three years of age, "unless some person will undertake to provide "suitable maintenance for such child."

See those Orders in the Papers printed 10th July 1821, pp. 32. 41. & 127.

5. In the case we are here considering, the victim was not sacrificed either on the funeral pile or with the body of her husband; and the simple declaration of the grandmother, aged about eighty years, that she would take care of the children, can never be construed into a fulfilment of the only condition on which a Hindoo woman, having an infant under three years of age, is permitted to burn; the suttee, therefore, with reference to the first position, was in all its bearings, in my opinion, wholly illegal, and in direct violation of the tenets of the Shaster.

6. The old custom of the Concan may indeed be at variance with the law with respect to wives burning with the bones; and instances can no doubt be adduced of these suttees having occurred since our conquest of the country. We have in fact an example in point in the Rutnagerry Talooka so late as June last. The Mahratta papers connected with and detailing the ceremony, are enclosed for the information of government, as are also a copy of the orders issued to the sirkumaviesdar to prevent any woman in future burning with only the bones of her husband.

7. On the second point of consideration, whether the interposition and prohibitory mandate of the ruling power was justifiable, and such as it could exercise of right, I apprehend there will not be much difficulty.

8. In some cases direct permission is asked; in very few has the ceremony proceeded without previous intimation being given to the government; and its right of interference and interposition are, I believe, acknowledged by all under the late government. I understand no suttee could take place, particularly in the Mahratta states, without the assent of the ruling power, which, according to its discretion, could either forbid or permit the ceremony. Since our occupation of the Concan, suttees have occasionally been abandoned through the interposition of our authority; and when they are about to be proceeded with, contrary to law, it seems no less the right than the duty of the ruling power to interfere and forbid, and even prevent them. The right is recognized, and the exercise of it provided for, as laid down in the Bengal circular orders, noticed in the fourth paragraph by government's commands.

9. The right therefore I apprehend exists, and as it was acted on in the present case by the sirkumaviesdar according to his instructions, and in consideration of the illegality of the ceremony, the exercise of it was justifiable; he accordingly peremptorily forbid the consummation of the suttee, referring the parties to me at Bankoote, if they were dissatisfied, or wished for further explanation. These prohibitions and injunctions were alas totally disregarded, and in defiance of all authority and law the ceremony was persisted in and concluded.

10. Had I simply to perform a magisterial duty, viewing the several circumstances of this suttee in the light that I do, I should think myself justified in considering all persons engaged in it as criminal, and in handing them over to the court of circuit for trial. But the subject of suttees generally, which it would be highly reprehensible in me to overlook, is one of so delicate and difficult a nature, and involves so many intricate points, and is in fact so much a question of policy, that I am diffident of trusting my own judgment on this occasion; and knowing also that a general opinion prevails (in which I most cordially concur), that in order to reduce the frequency of this horrid rite, it should be neglected and treated with as little notice as possible, I deem it indispensable to proceed with every degree of caution, and solicit instructions from government how I am to act in this instance, as the case now stands until I am favoured with the instructions I solicit.

S. Concan, Coll^{r} and Mag^{te} Office,
24th February 1822. I have the honour to be, &c.
(signed) *J. J. Sparrow*, Collector and Magistrate.

RESOLUTION on the Letter from the Magistrate in the Southern Concan, of the 24th February 1822.

THE orders against widows burning with the bones of their husbands having been circulated by this government for the guidance of its officers, and communicated to the sirkumaviesdars of the Southern Concan, the one in question did his duty in prohibiting the suttee, and the disregard of his prohibition was illegal, and might without injustice be punished. Such a step however in this instance would have been highly impolitic, and Mr. Sparrow has shown great prudence and judgment in forbearing to adopt it. If there be any doubt that it would give offence to interrupt the burning of a suttee, there can be none that it would excite great disgust to punish the deed when it was actually performed; and it is not at all improbable that it would excite a spirit of discontent, if not of opposition; the Governor in Council therefore considers it expedient that no further notice be taken of this transaction.

The species of defeat suffered in this instance, leads the Governor in Council to doubt the policy of the circular orders themselves; it is possible that the authority of the written law may be greater among the Hindoos of Bengal than among those of the Deckan; and it is more than probable that the subjection of the former to a Mahomedan government, has made them more submissive in points of this nature than the Mahrattas, who have till now been under a government peculiarly devoted to their own religions. It might, for these reasons be safe to enforce the orders in the one place, and dangerous in the other. In the Mahratta country it is known to be the practice for women to burn, not only with the bones of their husbands, but with his turban or his dagger. This may be contrary to the Shaster, but the Shaster is entitled to no attention, except as it is the object of popular veneration; and if the attachment of the people be in this instance transferred from the written law to their own custom, to that we ought to attend. If there is the smallest risk of exciting, not the opposition alone, but the jealousy of the natives, it would be best at once to suspend the orders. The prejudices of the natives are repeatedly giving way to the effect of our example; at no very distant period the worst of their delusions will vanish of themselves, before the general diffusion of knowledge. But attempting to lop off one branch of their superstition, we run the risk of interrupting the progress of those causes which are already consuming it at the root.

The following reply is to be returned to the Magistrate in the Southern Concan.

Sir,—I AM directed to acknowledge the receipt of your letter, dated the 24th ultimo, reporting the burning of a suttee with the bones of her husband, which recently occurred in the Talooka of Rutnagerry.

2. The honourable the Governor in Council instructs me to inform you, that under the orders given him the sirkumaviesdar of Rutnagerry did his duty in prohibiting the suttee on this occasion, and the disregard of his prohibition was illegal, and might without injustice be punished; such a step however in this instance would have been highly impolitic, and you have shown great prudence and judgment in forbearing to adopt it.

3. If there be any doubt that it would give offence to interrupt the burning of a suttee, there can be none that it would excite great disgust to punish the deed when it was actually performed. The honourable the Governor in Council therefore considers it expedient that no further notice be taken of this transaction.

4. Adverting also to the circumstance, that the instructions upon the subject transmitted under date the 15th October 1818, were formed in reference to the usages of Hindoos under the presidency of Fort William, and that the comparative force of the written law and the custom of the country is different in the Mahratta districts from what would appear to be the case under Bengal, the Governor in Council is pleased to suspend the orders of the 5th October 1818; but the instruction for preventing the burning of widows against their will, or in a state of stupefaction, or when infants, will remain in full force; it is only in reference to voluntary sacrifices of this nature, that any forbearance should be shown.

5. You will not however issue any public notification on the subject, but consider this communication as a rule for your own guidance, and that of your cammavisdars on the occurrence of any applicable case, according to the principles laid down in the instructions to the magistrate of the Northern Concan, sent to you under date the 1st November 1819. See former Collection

I have the honour to be, &c.
(signed) *J. Farish*, Sec^y to Government.

Bombay Castle, 14th March 1822.

Instructions in conformity with the two last paragraghs are to be sent to the judge, and to the magistrate in the Northern Concan, and to the judge in the Southern Concan.

From the Magistrate in the Southern Concan, dated 27th ultimo.

Sir,—I REQUEST you will do me the favour to lay the following representation before the honourable the Governor in Council.

2. In the month of November 1819, a bramin, named Govind Narain Saney died at Poona, and his wife Anundheeby according to custom prepared to burn upon his funeral pile; she was induced however by the persuasions of Captain Robertson, and by a promise of a future provision for herself and children, to forego her resolution; and Captain Robertson, under the authority of government, settled on her an annual pension of two hundred rupees, subject to a deduction of twenty rupees, on her eldest son, then fourteen, attaining his eighteenth

year, and a further one of thirty, on her youngest son, then twelve, arriving at the like age, thus leaving her at the end of six years a pension of 150 rupees for the subsistence of herself and two daughters; and by a government order of the 19th December 1819, she was permitted to reside and receive her allowance at the village of Newry, in the Rutnagerry Talooka. The eldest son lately died, and the pension in consequence has been reduced to 180 rupees.

3. I have received a petition from the widow Anundheeby, in which she states that her son has left his wife, aged eleven years, totally unprovided for; and that she trusts, under these circumstances, she may be allowed to draw her pension as heretofore, to enable her to provide suitable clothing and subsistence for her daughter-in-law, whose sole maintenance must now fall on her.

4. You would oblige me by obtaining the orders of government on the case now submitted.

I have the honour to be, &c.

(signed) *J. J. Sparrow*, Collector.

Southern Concan, Collector's Office, 27th Feb. 1822.

Reply to the Collector in the Southern Concan.

Sir,—I AM directed by the honourable the Governor in Council to acknowledge the receipt of your letter, dated the 27th ultimo, submitting an application from the widow of Govind Narain Saney to draw the pension allotted to one of her sons for the support of the latter's widow:

The son's widow not having any claim on government, her application cannot be complied with.

I have the honour to be, &c.

(signed) *James Farish*, Sec^y to Government.

Bombay Castle, 14th March 1822.

III.—FORT ST. GEORGE

Extract Fort St. George Public Consultations, 7th March 1823.

N° 27.—Read the following Letter to the Chief Secretary to Government.

Sir,—I have the honour to state to you that a native woman, of brahmin cast, has waited upon me this afternoon, and requested permission to burn herself with the corpse of her husband; and her relations who accompanied her expressed their disapprobation of her intentions. I have endeavoured as much as possible to dissuade her from committing such an act; and finding her resolute, I told her that my duty was to prevent her destroying herself, and therefore she must entirely give up her intentions; but she has expressed her resolution of taking away her life as soon as possible, if prevented from burning herself with the corpse of her husband. Although the relations have endeavoured to dissuade her from this act, they are desirous, upon her persisting in her intentions, that she should be permitted to do so; and as the funeral ceremonies of the husband are delayed until to-morrow, I have to solicit the orders of government on this very important point.

Madras Police Office, I have, &c.
March 6, 1823. (signed) *W. Ormsby*, Sup^t of Police.

Ordered, That the following reply be dispatched.

N° 174.—To the Superintendent of Police.

Sir,—I am directed to acknowledge the receipt of your letter of yesterday's date, and to express the opinion of the honourable the Governor in Council, that all practicable means should be employed for preventing the woman in question from making the intended sacrifice of herself. With that view, her relations should be informed, that such a practice being contrary to the established usage of this place, cannot obtain the sanction of government; and that it is considered to be their duty to use their strongest persuasion and influence to induce her to forego her intention. You will also apprize them that they will be held answerable for any interference of a contrary tendency.

Fort St. George, I have, &c.
7th March 1823. (signed) *D. Hill*, Sec^y to Gover^t.

DEMERARA.

Return to an Address from the Honourable the House of Commons, dated the 5th of March 1824,—*for*

A COPY of the Minutes of the Evidence on the Trial of *John Smith*, a Missionary, in the Colony of Demerara, with the Warrant, Charges, and Sentence:—*VIZ.*

COPY OF THE PROCEEDINGS

Of a General Court Martial, held at the Colony House in George Town, in Demerara, on Monday the 13th day of October 1823, by virtue of a Warrant, and in pursuance of an Order of Major General John Murray, Lieutenant Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo.

Colonial Department,
22d March 1824.

R. J. Wilmot Horton.

Ordered, by The House of Commons, *to be Printed,*
22 *March* 1824.

CHARGES against the Prisoner, *John Smith*, a Missionary.

First day - - - - - - 13th October 1823 - - - - - p. 3

JUDGE ADVOCATE'S ADDRESS:

Second day - - - - - 14th October - - - - - - - 4
Third day - - - - - 15th October - - - - - - - 8
Fourth day - - - - - 16th October - - - - - - - 10
Fifth day - - - - - 17th October - - - - - - - 12
Sixth day - - - - - 18th October - - - - - - - 15
Seventh day - - - - 20th October - - - - - - - ib.
Eighth day - - - - - 21st October - - - - - - - 18
Ninth day - - - - - 22d October - - - - - - - 20
Tenth day - - - - - 23d October - - - - - - - 22
Eleventh day - - - - 24th October - - - - - - - 25
Twelfth day - - - - - 25th October - - - - - - - 28
Prosecution closes.

Thirteenth day - - - - Friday 31st October - - - - - - 31

THE PRISONER'S DEFENCE:

Fourteenth day - - - - Saturday 1st November - - - - 31

THE PRISONER'S EVIDENCE:

Fifteenth day - - - - 3d November - - - - - - - 45
Sixteenth day - - - - 4th November - - - - - - - 47
Seventeenth day - - - 5th November - - - - - - - 50
Eighteenth day - - - 6th November - - - - - - - 54
Nineteenth day - - - 7th November - - - - 55
Twentieth day - - - - 8th November - - - - - - - 57
Twenty-first day - - - 10th November - - - - - - - 60
Twenty-second day - - 11th November - - - - - - - 62
Twenty-third day - - - 12th November - - - - - - - 64
Twenty-fourth day - - 13th November - - - - - - - 66

PRISONER'S OBSERVATIONS AT THE CLOSE OF HIS EVIDENCE:

Twenty-fifth day - - - 14th November - - - - - - - 67
Twenty-sixth day - - - 18th November - - - - - - - 72

PROSECUTOR'S REPLY:

Twenty-seventh day - - 19th November - - - - - - - 73
Twenty-eighth day - - 14th November - - - - - - - 92
Judgment of the Court.

Proceedings of a General Court Martial

Held at the Colony House in George Town, on Monday the 13th day of October 1823, by virtue of a Warrant, and in pursuance of an Order of His Excellency Major General JOHN MURRAY, Lieutenant Governor and Commander in Chief in and over the United Colony of *Demerara* and *Essequibo*; &c. &c. &c.

PRESIDENT,

LIEUTENANT COLONEL STEPHEN ARTHUR GOODMAN,
Half Pay 48th Regiment, and Commandant of the George Town Brigade of Militia:

Members.

Lieutenant Colonel Charles Wray, Militia Staff.
Captain Thomas William Stewart, 1st West India Regiment.
Captain Richard Daniel, Royal North British Fusileers.
Captain Thomas Fairweather, Royal North British Fusileers.
Lieutenant Thomas Cochrane Hammill, Royal North British Fusileers.
Lieutenant John Croftor Peddie, Royal North British Fusileers.
Second Lieutenant Charles O'Hara Booth, Royal North British Fusileers.
Captain William Killikelly, Half pay 6th West India Regiment, Deputy Assistant Quarter Master General.
Captain Colin Campbell, Royal North British Fusileers.
Captain Lewis Charles Appelius, Royal North British Fusileers.
Lieutenant Robert Gregg, 4th or King's own Regiment.
Lieutenant William Howe Hennis, Royal Artillery.
Second Lieutenant Alexander Gordon, Royal Engineers.
Second Lieutenant Robert Anstruther, Royal North British Fusileers.

THE Warrants of His Excellency Major General JOHN MURRAY, lieutenant governor and commander in chief in and over the united colony of Demerara and Essequibo, &c. &c. appointing Lieutenant Colonel Stephen Arthur Goodman, half-pay 48th regiment, and commandant of the George Town brigade of militia, president of, and His Honour Victor Amadius Heliger, to be judge advocate, and Richard Creser, esq. Robert Phipps, esq. and J. L. Smith, jun. esq. to act as assistant judge advocates to a general court martial, ordered to assemble at the colony house in George Town, on Monday the 13th instant, at ten o'clock, for the trial of such prisoners as shall then and there be brought before it, having been read in presence of the prisoner.

The Prisoner, having been asked whether he had any cause of challenge or objection to any of the members? answered, "No."

The Court was then duly sworn, and proceeded to the trial of John Smith, a missionary, on the following

CHARGES

preferred against him, by order of His Excellency Major General John Murray, lieutenant governor and commander in chief in and over the united colony of Demerara and Essequibo, &c. &c. &c.

1st Charge. FOR that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion, which broke out in this colony, on or about the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance, and against the peace of our Sovereign Lord the King, his crown and dignity.

2d Charge. For that he, the said John Smith, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of

1st Day, Monday 13th Oct. 1823.

Demerara and Essequibo; and further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina; to wit, on the 19th and 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein.

3d Charge. For that he, the said John Smith, on the 17th August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion, intended to take place within this colony, did not make known the same to the proper authorities, which revolt and rebellion did subsequently take place; to wit, on or about the 18th of August now last past.

4th Charge. For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th of August now last past, was at Plantation Le Resouvenir in presence of and held communication with Quamina, a negro of Plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein, and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina, as a prisoner, or by giving information to the proper authorities, or otherwise, but on the contrary, permitted the said insurgent Quamina to go at large and depart, without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law, issued by His Excellency the lieutenant governor.

Plea. To these charges the prisoner pleaded, Not Guilty.

The prisoner having requested the indulgence of the Court, in order to procure the assistance of counsel, the Court adjourned until to-morrow morning at ten o'clock.

Second day, 14th October 1823.

Second Day, 14 October 1823.

The Court having met, pursuant to adjournment, the Judge Advocate addressed the Court as follows:

" May it please the Court;

" Previous to my proceeding to the proof of the charges which have been preferred by me against the prisoner, I feel it necessary to make a brief statement of " the case, in order to facilitate the proving of the charges so preferred. I shall " first adduce in evidence, that the prisoner, even from the beginning of his arrival " in this colony, has begun to interfere with the complaints of the different negroes " upon the estates in the district where he has been admitted as a regular missionary. " I shall further adduce evidence, that this interference has not only related to the " negro population and their management, but also with regard to the acts and deeds " of the constituted authorities of this our country; that this kind of interference " has created discontent and dissatisfaction amongst that part, viz. the negro population of this colony; that even his opinion of the oppression under which they " labour brought him to that point, that he considered it necessary to expound to " them such parts of the Gospel entirely relative to the oppressed state in which he " considered them to be. It shall further appear to you in evidence, that this has " led at last to the tearing assunder the tie which formerly united master and slave; " and that open revolt was the consequence of this state of discontent in which " they had been taught. It will also appear, that before the revolt broke out, the " prisoner was aware, not only of the intended rebellion to take place, not only " several days before, but also on the day immediately preceding the breaking out " of the revolt. It shall be proved that it was not only a bare knowledge of the " intended revolt, but he even did consult and advise as to the difficulties they would " have to encounter from His Majesty's troops, and from the white inhabitants of " the colony. It shall be proved that, with this knowledge upon his mind, he never " attempted to give any information hereof to the constituted authorities; that even " on the day of the revolt, which took place in the evening, the prisoner was in " town, but that he left town without having made that disclosure, which, as " a faithful and loyal subject, he was bound to do: not only this, but it shall also

" be

Second Day,
14 October 1823.

" be proved, that during the prosecution of the revolt, not only no attempt was " made of any disclosure on his side, but even that immediately after the beginning " of the revolt, on the first and second day, the prisoner did correspond with one of " the insurgents at a time when he well knew that that insurgent was in open rebel" lion; not only that he did correspond with him, but he even did not attempt to " secure that insurgent, or to give such notice to the constituted authorities by " which that insurgent could have been laid hold of; that though, perhaps, the " prisoner at the moment might have found some difficulty of conveying this intel" ligence to the proper authority, that obstruction or difficulty was entirely taken " away on the following day, when a detachment of militia arrived at the dwelling " of the prisoner, and by which he was enabled to give such information as a loyal " subject he was obliged to do. This, gentlemen, is a brief statement of the case, " and according to the course which, in calling of the evidence, I intend to pursue."

He then proceeded to call **EVIDENCE** in Support of the Charges.

1st Evidence for Prosecution.

John Stewart having been duly sworn, deposed as follows; viz.

My name is John Stewart; I am manager of plantation Success; I know the prisoner; I believe I know his hand-writing; the book produced is I believe in his hand-writing; I have seen his hand-writing at different times; he has wrote me at different periods. [The book produced was laid on the table of the court.]

(*Question by the prisoner.*)—Did you ever see me write?—I can't say that I have.

The prosecutor then drew the attention of the court to the following passages of the book produced to the court; viz.

1st Passage is inscribed as follows:

" A Journal containing various occurrences at Le Resouvenir, Demerary, commenced " in March 1817; by John Smith, Missionary."

On page 3, under the date of Sunday, 30th March 1817, runs as follows:

" Sunday, March 30th.—Preached at seven in the morning, from the 92d Psalm, first and second verses. Mr. Wray preached at eleven, from John v. 39; after which we called those who had been formerly members together: this was considered the most proper time for settling all old quarrels. Several husbands and wives had separated, some were jealous, some complained of being abused for reproving disorderly brethren; Jingo, in particular, had a sad tale to tell; he had taken a wife on another estate, and the manager had forbidden his going to see her. The tale was too long, therefore it was put off. In the evening, Betty, Jingo's wife, came to our house and brought her husband with her. The examination took place before myself, Mrs. S. and Mr. Wray. Jingo's wife alleged that her husband wanted another wife. Jingo said, he found his wife with another man. She said, Jingo went with another woman. It appeared they were both in fault, and after an hour's talking they were remarried by Mr. W.; they promised to live together again; I hope they may. Betty can go to Jingo, though he cannot go to her. A missionary must in many instances act the part of a civil magistrate."

Under the date of Sunday, 6th July 1817, on page 12, stands the following passage:

" While at dinner, at half-past three o'clock, Lucinda came with a very sorrowful countenance;" and after having related the mischief done by a rat to her Bible, the Journal proceeds in the following manner: " Lucinda is a member of the church, and much affected with the gospel; she is an old woman, and though her manager tells her not to come to church, she tells him she will come, even if he cuts her throat for it."

The next passage is of Friday, August the 8th, 1817, and runs as follows:

" A great number of people at chapel. From Genesis xv. 1. Having passed over the latter part of chapter 13, as containing a promise of *deliverance from* [these two words partly erased, but perfectly legible] the land of Canaan, I was apprehensive the negroes might put such a construction upon it as I would not wish; for I tell them that some of the promises, &c. which are made to Abraham and others, will apply to the Christian state. It is easier to make a wrong impression upon their minds than a right one."

" August the 30th, 1817, page 16.—The negroes of Success have complained to me lately of excessive labour and very severe treatment. I told one of their overseers that I thought they would work their people to death."

" September 13th, 1817, page 17.—This evening a negro belonging to
came to me, saying, the manager was so cruel to him that he could not bear it. According to the man's account, some time back, (two or three years) he with a few others made complaints of the same thing to the fiscal, on which account the manager has taken a great dislike to him, and scarcely ever meets him without cursing him as he passes by: the punishment which he inflicts upon him, dreadfully severe; for every little thing he flogs him. I believe Ned to be a quiet harmless man; I think he does his work very well. A manager told me himself that he had punished many negroes, merely to spite Mr. Wray. I believe the laws of justice, which relate to the negroes, are only known by name here; for while I am writing this, the driver is flogging the people, and neither manager nor overseer near."

" Monday morning, June 30th, 1818.—Having gone through a regular course of preaching upon the Epistle to the Ephesians, the 1st Epistle of Peter occurred to my mind as

Second Day,
14 October 1823.

being very suitable in their present circumstances. The Apostle seems to have written for the comforts of Christians, who were scattered and persecuted, which is the case with our people. After seeking divine direction in this matter, I felt a determination to pursue my plan; I therefore preached from Peter 1st, chapter 1. ver. 1. I suppose we had about 150 hearers. After service I had some conversation with some of our people upon the subject of discourse."

"Friday, 10th July 1818.—This evening Emanuel and Bristol, from Chateau Margo, came to make a complaint against Coffy of Success; they stated that he had used some very abusive language to Emanuel. I declined hearing the tale out until I can see Coffy."

"Sunday, 19th July 1818.—Many flying showers this morning; rain fell pretty heavy. I felt my spirit move within me at the prayer meeting, by hearing one of the negroes pray most affectionately that God would overrule the opposition which the planters make to religion for his own glory; in such an unaffected strain he breathed out his pious complaint, and descended to so many particulars relative to the various arts which are employed to keep them from the house of God, and to punish them for their firmness in religion, that I could not help thinking that the time is not far distant when the Lord will make it manifest by some signal judgment that he hath heard the cry of the oppressed. Exodus, iii. 7 and 8."

"March 22d, 1819.—While writing this, my very heart flutters at hearing the almost incessant cracking of the whip. Having just finished reading Mr. Walker's Letters on the West Indies, I have thought much of the treatment of the negroes, and likewise the state of their minds. It appears to me very probable, that ere long they will resent the injuries done to them. I should think it my duty to state my opinion respecting this, to some of the rulers of the colony, but am fearful, from the conduct of the fiscal in this late affair, of the negroes being worked on Sunday, that they would be more solicitous to silence me, by requiring me to criminate some individual, than to redress the wrongs done to the slaves, by diligently watching the conduct of the planters themselves, and bringing them to justice, (without the intervention of missionaries) when they detect such abuses of the law as so frequently take place."

"17th November 1821.—Yesterday evening we had not more than fifty at the chapel; indeed, I cannot expect many more till the coffee and cotton are gathered in; the people have scarcely any time to eat their food; they have none to cook it—eating, for the most part, raw yellow plantains: this would be bearable for a time, but to work at that rate, and to be perpetually flogged, astonishes me that they submit to it."

"October 21st, 1822.—Just returned from another fruitless journey; have been for the answer to my petition, but was again told, by the governor's secretary, that his excellency had not given any order upon it, but that I might expect it to-morrow. I imagine the governor knows not how to refuse, with any colour of reason, but is determined to give me as much trouble as possible, in the hope that I shall weary of applying, and so let it drop; but his puny opposition shall not succeed in *that way*, nor in any other ultimately, if I can help it. Oh that this colony should be governed by a man who sets his face against the moral and religious improvement of the negro slaves! but he himself is a party concerned, and no doubt solicitous to perpetuate the *present* cruel system, and to that end probably adopts the common though not false notion, that the slaves must be kept in brutal ignorance. Were the slaves generally enlightened, they must and would be better treated."

"November 10th, 1822.—Jacky of Dochfour, and Peter of the Hope, came into the house evidently much depressed in mind, to relate what they conceived an unexampled case of persecution: It was, in brief, that their respective managers, under a show of friendly familiarity, accosted the Christian negroes with taunting jokes on the subject of religion, in presence of the heathen negroes, representing that their profession was only hypocrisy, and that a trifling consideration would prevail with them to abandon it, for which reason they ought to be treated with scorn and contempt. These diabolisms some of the religious negroes had been provoked to retort upon their tempters, in a manner said to be disrespectful; and for this insolence they have been repeatedly flogged and confined in the stocks!! The complainants wanted to know what they were to do in such a case. I advised them accordingly."

"Monday, 25 November 1822.—Having been once more, the eighth time, for the answer to my petition in vain, I think I may fairly conclude the governor does not intend to give an answer; it would perhaps be best to wait a few weeks, and should no answer then be given, (and the secretary's assistant promised to let me know in case any order were made upon it,) to write him on the subject. Here, as in many other cases, I feel the want of a Christian friend and counsellor. We have missionaries from the same society, but fortunately for the colony, though unfortunately for the cause of religion and just rights, the governor and the court have bought them, the one for 100 joes, the other for 1,200 guilders per annum."

"May 23d, 1823.—Finding it necessary for my health to take more exercise than I have been accustomed to do, I have not had time to continue my journal as I could have wished; besides, the uncomfortable state of my health has disinclined me for writing; but as it appears to me that serious evils are likely to result from the measures which the governor is adopting respecting the slaves attending chapel, I think it will not be amiss to note down such circumstances as may come to my knowledge. While at breakfast this morning, I received a communication from the burgher captain, inclosing a printed circular from the governor, containing on one side an extract from a letter of Lord Liverpool, as secretary of state for the colonies, to Governor Bentinck, dated 15th October 1811, and on the other side, a comment written by the colonial secretary, in the name of Governor Murray, explaining it to their own taste. The substance of this comment is, to persuade the planters

Second Day, 14 October 1823.

planters not to allow the slaves to attend the chapel on Sundays without a pass, and in an indirect manner not to allow them to come at all in the evening, and even on a Sunday to send an overseer with the slaves, as judges of the doctrine we preach. The circular appears to me designed to throw an impediment in the way of the slaves receiving instruction, under colour of a desire to meet the wishes, or rather, complying with the commands of His Majesty's government. (See the circular among other government papers.)"

"June 9th, 1823.—Several whites were present professedly as spies."

"22d June, 1823.—Isaac, of Triumph, came in to ask whether the governor's new law, as he called it, forbad the slaves meeting together on the estate to which they belong, of an evening, for the purpose of learning the catechism. Their manager, he said, had threatened to punish them if they held any meeting. I informed him, that the law gave the manager no such power, and that it had nothing to do with that subject; still I advised them to give it up, rather than give offence and be punished, and to take care to ask for their passes early on Sunday mornings, and come to the chapel to be catechised."

"July 7th, 1823.—Mr. Elliot has just left our house; he came up merely to see us, which I regard as a kindness. I was glad to hear that he has at length commenced evening preaching once a week on the coast, on a Thursday evening; it appears the same impediments are thrown in the way of instructing the negroes on the west coast as on the east; and it will be so as long as the present system prevails, or rather exists."

"July 15th, 1823.—Mrs. de Floimont and her two daughters called to take leave of us; they are going to Holland. Mrs. de F. says, she is uncertain as to her return to the colony. Hamilton, the manager, came in with them. His conversation immediately turned upon the new regulations which are expected to be in force; he declared, that if he was prevented flogging the women, he would keep them in solitary confinement without food, if they were not punctual with their work; he, however, comforted himself in the belief, that the project of Mr. Canning will never be carried into effect; and in this I certainly agree with him. The rigours of negro slavery, I believe, can never be mitigated; the system must be abolished."

"August 18th, 1823.—Early this morning I went to town, to consult Dr. Robson on the state of my health."

Edmund Bond, being duly sworn, deposed as follows; viz. 2d Evidence.

I reside in New Amsterdam in Berbice; I am a carpenter by trade; I have no settled domicile any where; I have worked on plantation Profit, the last estate on the west coast of Berbice, coming to Demerara. About this month last year I was on the estate Profit; I am confident I can say it was about this month last year. I have seen the prisoner at plantation Profit about this month last year; a conversation took place at that time with the prisoner, Mr. Hutcheson, Mr. M'Watt, and myself; the general conversation was about slavery; Mr. Smith said, that negroes could do as well in the West Indies without white people as with them; he made some allusion to St. Domingo, what it was I forget; but I remember the answer I made him, which was, did he want such another scene here as had taken place in St. Domingo? I do not recollect his answer; I know Mr. Smith appeared confounded at the observation made by me.

Q. Did the prisoner, in the course of the conversation you have mentioned, say any thing about missionaries?—I do not recollect.

(*Question from the prisoner.*)—Do you not recollect Mr. Hutcheson saying, that times were so bad, that they, the whites, would have to sell off and go home, but what would become of the poor negroes; and was it not this remark that gave rise to my observation, that they would do as well without the whites?—I do not recollect that.

William M'Watt, being duly sworn, deposed as follows; viz. 3d Evidence.

I reside on plantation Helena; I am overseer on that estate; I have not always lived on the Helena; I lived on the plantation Golden Fleece in Berbice; I am acquainted with Mr. Hutcheson, of plantation Profit, in Berbice; I have seen the prisoner before on plantation Profit, in Berbice, I do not exactly remember the time, it may perhaps be twelve or fourteen months, in company with Mr. Hutcheson and Mr. Bond; the conversation was about the treatment of slaves; the prisoner said a great deal about the cruel manner in which they were treated, and he thought, that this country would be as well without whites at all. I replied to him at that time, that I thought the slaves were much happier than some of the working people at home; I also mentioned, that they were well attended to in sickness, a privilege that a number of working people did not enjoy at home; the prisoner then mentioned, that they would not better their situation, until something took place, such as had done in St. Domingo; Mr. Bond then replied, would you wish to see such scenes as had taken place there? The prisoner said, he thought that would be prevented by the missionaries; that is the principal thing I recollect.

(*Questions by the prisoner.*)—Do you remember who commenced the conversation alluded to?—No.

Did I commence it?—I could not exactly say who commenced the conversation.

Do you not remember that Mr. Hutcheson said, that he regretted his inability, from the badness of the times, to subscribe to Mr. Wray's new chapel in Berbice?—No.

Do you not recollect Mr. Hutcheson saying, that times were so bad, that the whites had better sell off and go home?—No.

You say I stated, that such a scene as the one in St. Domingo would be prevented by the missionaries; did I not at the same time say, that the effects of the Gospel would prevent such scenes, or words to that effect?—I do not recollect that.

[The Court then adjourned until to-morrow.

Third Day, 15 October 1823.

Third day, October 15th.

William Young Playter was duly sworn to interpret faithfully and truly.

4th Evidence.

Azor, a negro belonging to Van Cooten, says he understands the nature of an oath, and being then duly sworn, deposed as follows; viz.

I am a member of Bethel chapel on plantation Le Resouvenir; the members sit round the table and take the sacrament; deacons are the head of all; Mr. Wray put Romeo the first for deacon; deacon is to hand the cup round at the sacrament; if any man comes to be baptized, the deacons receive him in; the deacons meet on the first Sunday of the month, after service in the morning, at ten o'clock, and again, after service, at two o'clock; the officiating minister is present with them; when the church breaks off we come together, and take the sacrament; we sing psalms, and then we break off, each of us throwing up two bits; there are four deacons belonging to Le Resouvenir chapel; Quamina is the head, Bristol the second, Seaton and Jason. Quamina belongs to Success, Bristol belongs to Chateau Margo, Seaton to Success, and Jason belongs to Better Hope, but he lives at our place, he is free now. Jack, of Success, son of Quamina, is neither a deacon or member, he is only a christian teaching the creoles; there are plenty who teach the creoles; Mr. Smith, the minister, makes them teachers; he communicates with them personally; when they teach, he comes and listens to them, to know if they teach well or not; the teachers do not meet like the deacons. Divine service is performed in the church in the morning, again at ten o'clock, and they break off at two o'clock; the first service is about seven o'clock, and breaks off at nine o'clock; we meet again at ten o'clock, and break off at twelve o'clock; the first service is called morning prayer; they sing hymns and read, and the two deacons pray; first, Quamina prays, next Bristol; sometimes, next Sunday, Jason, and sometimes Seaton; this praying is aloud; every body is admitted at these morning prayer meetings; white people may come at the morning prayer if they please; the doors are open whilst the deacons are praying. I know the prisoner; his name is Smith; he is a parson; he is the parson of Bethel chapel; the prisoner reads and explains to us, at all times, passages in the bible; at noon time he explains the text; in the morning he explains the word about David and Moses; I recollect what he explained about David, that Saul drove David into the wood; we understand that David went into the wood, because if he went in a friend's house, he would get trouble; David himself was to get trouble. I heard the prisoner state something about working on Sunday; I heard him say that God keeps the Sabbath-day holy, and that this country was a very wicked country; in England they were all free, and they all kept the Sabbath holy; that it was very hard to work on the Sabbath-day, but in case of fire and water, or a koker breaking; if half a row was left in the field, it was not fit to be worked on a Sabbath day. I was going to have said, when Moses took the children of Israel, and carried them through the Red Sea, then Pharaoh gathered the soldiers, and went after them to bring them back; and the Lord made darkness and thunder between the king of Israel and Moses: when Moses had gotten over with the children of Israel, Pharaoh was drowned in the sea, and Moses built a temple, and prayed to God.—Only that I heard from the prisoner.

(*Questions by the prisoner.*) Can you read?—Very little.

Are you sure Seaton is a deacon?—Yes.

Did no one else pray, besides the deacons, at the morning service?—Many.

Did you yourself ever see Mr. Smith with the teachers of the catechism, whilst they were teaching?—Yes.

Where did the teachers of the catechism teach it, when Mr. Smith was present?—In the church.

Were the doors of the chapel open on such occasions?—Yes.

Could any white people go there at that time or occasion, if they liked?—Yes.

What do you mean by the deacons meeting on the first Sunday of the month, after service in the morning at ten o'clock, and after service at two o'clock?—To meet to prayer, and teach one another. On the first of the month all the members meet together.

Were there any meetings, besides those for the purposes of prayer or divine service?—No.

Were these meetings private or public?—Public.

Where was the prisoner when he explained the words about David and Moses?—In the chapel; in the middle of it, in the little pulpit.

Where was the prisoner when he explained the text?—In the top pulpit.

When the prisoner talked or explained to you about the children of Israel, did he say that the situation of the negroes was like that of the children of Israel, or words to that effect?—No.

Did not the prisoner always advise the negroes, from the pulpit and otherwise, to do their work, and obey their masters, and all in authority over them?—Yes.

When the prisoner told you about finishing half a row of a Sunday, did he tell you it was not right to work on a Sunday, and that was the reason it was not to be finished?—

He

Third Day, 15 October 1823.

He did not say, don't finish it; but he said it was not right to work on a Sunday. He did not tell this to me only.

What else did he tell you about finishing the half row?—He called up all the members, and asked where they had been; those members who were not in their place; and when they came next Sunday, he asked them where they had been; some said, "I have been working half row," the other said, "Manager gave me work." I heard him say, "You are fools for working on Sunday, for the sake of a few lashes."

Did he tell the negroes any thing else about finishing the half rows, besides what you have stated?—No.

What other negroes were present when this conversation about the half row took place?—All the different estates negroes had met up together.

Will you state the names of some of them that were in hearing?—I can give the names of the estates, but not of the parties. Some members from Eendragt, and some from Postlethwaites.

Do you not know the name of one?—One is a driver; but I don't know his name: he is from Postlethwaites.

Was any thing said about finishing the half row on the working days?—No.

Was the driver from Postlethwaites in hearing at this conversation about the half row?—Yes.

(*Questions from the court.*)—Have you heard the prisoner more than once speak about Pharaoh and Moses?—Yes, more than one time.

How often?—I don't attend church often, because I have the rheumatism, more than four or five times I have heard him.

Did the deacons ever meet separately from the rest?—That I can't tell.

5th Evidence.

Romeo, a negro of plantation Le Resouvenir, says he understands the nature of an oath; and being then duly sworn, deposed as follows;—viz.

I am a member of Bethel chapel, on Le Resouvenir; Mr. Smith is the parson of that chapel; the prisoner is the Mr. Smith I mean. I am a deacon of that chapel. The duty of a deacon is to teach the catechism, or so: the deacons do not meet by themselves, but in the chapel, along with the members and others; I dare say there are plenty of deacons, but I have not counted them; the head deacon is Quamina of Success, Bristol of Chateau Margo, Old Jason of Mr. Van Cooten, Jacky from Mr. Reid, Telemachus of Hopkinson or Bachelors Adventure, Bill, now in town, formerly belonging to Mr. Rogers; at this moment I forget them, but there are more; they are deacons, and to look over the church. Jack Quamina's son is not a deacon, sometimes he helps to teach the catechism; but he is a wild fellow, and I don't see him sometimes for two months in the church; Jack is not a regular teacher. Mr. Wray made me a deacon, all the others Mr. Smith made; he makes the teachers also. Divine service is performed at the chapel twice on a Sunday, at seven and eleven o'clock; the service at seven o'clock is, he reads in the Old Testament, and then he prays, then he begins to teach; he begins from Genesis, till he goes through; he used to read the 2d Kings; the last time I heard him was 2d Kings, but I cannot recollect the chapter. Every body is admitted at morning prayers. The prisoner does not pray alone at the morning service, he takes two of the negroes, members, and makes them pray first, and then he prays afterwards, the prayers are aloud; the doors are open during the prayers. I recollect the revolt, it was one Monday night; I was at church the Sunday before the Monday; the text the prisoner preached from that day was the 19th chapter of St. Luke, beginning at the 41st and 42d verses; the 41st says, "When Jesus came near the city he wept over it:" I forget the discourse; I saw Mr. Smith, in his own house, after church, on that Sunday; I cannot recollect I saw him on Monday; I saw him on Tuesday; in the evening I went to visit him, seeing the negroes made such a great noise, as my heart was uneasy: I bid the prisoner good night, and he answered me good night; he then asked me if I had seen Quamina or Bristol? I replied no; he made answer, that they were afraid to come to me now; he said further, I wish I could see any one of them. This was the last conversation that day. I heard the prisoner speak about working on Sundays. He said, if the water-dams break, to be sure you must attend to your master's duty; or fire; if they force you to do it, you must do it, and your master will answer for it: you must not grieve, or be angry, if your master forces you; but you must do it. He said, if any Christian suffered murder, or allowed thievery, that was bad also, they must not do it; he said the words of the bible were all true, and that he preached very true too.

(*Questions by the prisoner.*)—Where was the prisoner when he spoke about working on a Sunday?—In the church.

What kind of work did the prisoner say you were to do on a Sunday, if your master forced you?—Any work; but if he does not give you work, you must attend to church regularly.

(*Questions by the court.*)—Do the deacons ever stay with Mr. Smith after the rest of the people are gone?—Yes; when they have collected the money, and the people are gone away, they reckon the money to the prisoner for the missionary society.

Are the doors of the chapel ever closed when any service is performing, or the deacons assembled therein?—During the ordinance of the Lord's Supper they shut the doors, but not at any other time.

Can you read?—Yes, I can read.

Did you ever hear Mr. Smith reproach the members for being absent from chapel on a Sunday, and if so, what did he say?—Yes; he said some go walking for pleasure and spend

Third Day,
15 October 1823.

spend their time idly; some go to market, and some to the back dam, and leave the church, and that was not Christian like, because God made the heavens and the earth in six days, but the seventh day to be kept holy.

Did Mr. Smith say any thing else relative to working on Sundays?—No, I did not hear any thing else.

Are every one of the doors of the chapel shut during the ordinance of the Lord's Supper?—Yes.

[The Court then adjourned until to-morrow.

Fourth Day,
16 October 1823.

Fourth day, 16th October.

THE Court having met pursuant to adjournment,

Romeo being again called, by desire of the Court, the following questions were put.

You have stated that you were present when Mr. Smith reproached some of the members for absenting themselves from chapel on a Sunday; did you upon that occasion hear Mr. Smith say that they were fools for working on a Sunday for the sake of a few lashes?—No, I did not hear that; but I heard him say that if their masters gave them work they must do it patiently, and if they punish you for a wrong cause you must not grieve for it.

Have the deacons any separate meetings for the purpose of teaching the negroes, in the chapel, their houses, or elsewhere?—On my master's estate we meet sometimes; but since I have been lame I have not been accustomed to do so; but I send them all to Mr. Smith, as I had nothing more to do with it. I do not know what other estates do.

Were those meetings sanctioned by Mr. Smith, and did he ever attend any of them?—He knew of those meetings, and said they were good. I never saw him at any of them.

Was you ever directed by Mr. Smith to explain his sermons to the people?—Yes, I was, to those who did not understand them.

Was this often or always the case?—Often; and always when the parson preached.

Did you explain the text and sermon preached on the Sunday before this revolt began?—Oh yes, Sir.

State to the court the explanation you gave on that text and sermon.—On that Sunday before the revolt broke out I did not explain the text; the negroes said that Mr. Smith was making them fools; they said this in my presence, and there was a great number of people; but they said he would not deny his own colour for the sake of black people. These words grieved me, and I went away straight along, because I was hurt to see them behave so ungratefully. I did explain the text of the Sunday before from the 3d chapter of Revelations and 3d verse; for the explanation, I cannot very well recollect the exact words, but some of the people on the Mahaica side were going to Essequibo. What you do know hold fast; God is not so slack in his promises as some men are; I know that you have some children to be instructed, that wherever they go they may not forget God, because when they go to some strange places they will throw away their Christianity. My explanation was, that if you deceive God, God will set a curse upon you and your children. I spoke no more.

Did the prisoner ever point out to you particular chapters in the Bible for you to teach?—No; only the catechism.

6th Evidence.

Joe, a negro of plantation Success, says he understands the nature of an oath; and being then duly sworn, deposed as follows:

My name is Joe, I belong to Success estate; I attend Bethel chapel on plantation Le Resouvenir; Mr. Smith preaches there; the prisoner is the person. A disturbance took place amongst the negroes some time back on the coast on which I reside; I know Quamina of Success, he was my brother; Quamina was engaged in that disturbance; the people rose up and were putting the managers in the stocks; this took place between five and six o'clock in the afternoon, on a Monday by my reckoning; this week is nine weeks since; I was at church at Le Resouvenir the Sunday before that Monday; I do not recollect what the text was, but there are some words in the chapter I know. The parson said, the Lord Jesus Christ sent a disciple into a certain village, and you will see a colt tied there, bring it unto Me, and if the master of the colt should ask you what you are going to do with it, you must say, the Lord hath need of it; and they brought it to the Lord, and laid some raiment on it; and He rode it to Jerusalem, and He rode it to the top of a mountain where He could see Jerusalem all over; and He wept over Jerusalem, and said, if they had known their peace, that is to say, if the people knew what belonged to them, they would believe in Him; now their trouble would come upon them. So far I can make out; I cannot remember any thing more.

(*Question by the prisoner.*)—Were the words you mention spoken by the prisoner, or read from a book or Bible?—He read them from the Bible.

(*Questions from the Court.*)—Where is Quamina now?—He is shot; I hear he is gibbeted, but I have not seen him.

Do you reside at or near the chapel, or do you only attend it on Sundays for divine service?—I reside at Success, about a mile and a half from the chapel; I generally attend chapel every Sunday at nine or ten o'clock, as my other duties will permit me.

Did Quamina, as a deacon of Bethel chapel, ever explain to you any text or sermon preached by Mr. Smith?—Sometimes.

Fourth Day, 16 October 1823.

Manuel, a negro of plantation Château Margo, says he understands the nature of an oath; and being then duly sworn, deposed as follows:

7th Evidence.

I know the prisoner; he is the parson who preaches among us. I am a member of Bethel chapel on Le Resouvenir; I am not a deacon or a teacher; I cannot read; I go to morning prayers on a Sunday; the prisoner reads a chapter concerning Moses sometimes. When Moses was born in Egypt, in that place where Pharaoh was a king, when he was born, the king gave orders that if any boy child was born, they should put him to death; if it was a girl child, to let her live. After that Moses was about three weeks old, they took him and put him in a small box, and they put him in a river where the king's daughter was washing. God commanded Moses to take the children of Israel into the land of Canaan, because he did not wish they should be made slaves. God gave Moses a painted rod to make the king afraid. God commanded Moses that the king's heart was hardened, and Moses said to the king, what is the reason that you cannot take God's advice? After that, the king gave up Moses, and let them go in the promised land. After that, the king wanted to follow them again and bring them back, and then the king was drowned in there, in the sea. He read something after the death of Moses; he read Joshua; I cannot recollect what chapter. He read about David; he read about God calling Samuel to make him rule the people; after that, they wanted Samuel to put a king to rule them; and Samuel told them to believe in the Lord, that He was the king. God sent and put words in Samuel's mouth, and said, look at Saul, the son of Kish, put him to be ruler over the people of Israel. David ran away from Saul, and went into the country where Goliath was born; and by David's discourse they discovered that he was the man who killed Goliath; and when they asked David if he was not the man, he feigned to be mad, and ran away; David ran to the bush, and got into the wood, because he was afraid that he would put another man into trouble. I don't know how he was to put another man into trouble, he only told me that. About two months ago, war took place on the coast; it broke out on a Monday night. I remember the Sunday before the Monday that the war broke out; I was in Bethel chapel on that day; I remember the text on that day; Jesus came out, and He stooped down and looked, and He wept; He looked down upon the city, and said, this city shall be destroyed this day, meaning Jerusalem: this city, Jerusalem, was to be destroyed, because they did not believe in God; that made Jesus Christ speak this word. I know a negro, Quamina, of plantation Success; I went with Quamina to the prisoner's house; I remember the last time I went there; it was three Sundays before this war came; a conversation took place that day between Quamina, Mr. Smith, and myself. Jack came to me one night, and told me that a paper had come out for us about freedom. I asked Jack if he had the paper in his hand already; Jack told me, no; but that he would get it. I came to Quamina, and I asked him, what is this Jack has been telling me about the paper of freedom; I asked him if he knew any thing about it; he told me, no; he could not tell me yet; and I told Quamina that he had better ask the parson, and he would let him know better about it. Quamina told me, I don't believe that he will tell you. I said, never mind, ask him nevertheless. I begged Quamina to let me go with him; Quamina then was going, and told me I might follow him. I went into the parson's kitchen to get water to drink; Quamina went into the room before me. Quamina said to the parson, I understand Mr. Stewart and Mr. Cort came here on Friday; what did they come about: they came to ask the parson if any negro ever came to ask him about this paper; he said, yes, Quamina had come to ask him, and he told Quamina as far as he could. The parson said that he wanted to read this paper to the negroes inside in the chapel, but Mr. Cort told him not to do it. Mr. Cort said he wanted to read it to the Success people, but he was afraid of the governor. The parson told Quamina that Mr. Cort and Mr. Stewart had given him and the Success people a very good character; that Seaton was of good service on the estate in teaching the people. After this, Mr. Smith told Quamina that there was no freedom in the paper, and that their masters could not aflord to lose so much money as to let them all go free; and he told Quamina there was no freedom in the paper at all; he told them to bear patience, if there was any thing good come, it was come for the women, because the drivers were not to carry whips any longer in the field. Quamina told Mr. Smith to take Jack and Joseph, and talk to them. Mr. Smith agreed to take them after chapel; and after one o'clock he did take them, but I cannot tell what he said. Quamina told the parson, in my hearing, that Jack and Joseph wanted to make trouble on account of this affair about the paper, and to make a push for it, and for that reason he wished the parson to speak to them. Joseph lives at Bachelors Adventure, and Jack lives at Success. Jack is the son of Quamina; Joseph is a teacher and member of the church; Jack is only baptized; Jack teaches; he teaches in the chapel, and sometimes he teaches at that place that means home. The parson does not allow us to work our grounds on a Sunday, or to go to market. I heard the negroes say only so far, that since Sunday was to be taken to serve God, they ought to have Saturday to work their own ground, or even if they gave them the afternoon Saturday. I heard of this affair about a month and a half before it broke out; Jack then came and told me about the paper for freedom I have spoke of before the court already. I have heard that Quamina was shot, and brought home and chained in the middle walk of Success. The parson said, if your master has any work for you on Sunday, it is your duty to tell him Sunday is God's day; that if the water-dam broke on Sunday it was our duty to go and stop it; that if the boat was to ground on the sand bank on a Sunday, it it was our duty to shove it off; and that if people got drunk on Sunday, it was right of their masters to make them work, to prevent them walking about and making mischief. The visitors to the chapel collected in the middle walk

Fourth Day, 16 October 1823.

of Success after chapel; Jack and Joseph, and Quamina and them, were talking of the revolt in the middle walk; the whole congregation was there. I heard Quamina say, to-morrow morning you must put down your shovel and hoe, and cutlass, and sit down in the house. He asked them if that was not the right way, and they said, yes. After that, I heard Paris say, it would be better for us to take guns to guard ourselves. When I heard that, I told Quamina he had better go to the parson and tell him about it, for it was not good; and Quamina went from there with Bristol the deacon. This was about four o'clock in the afternoon on the Sunday before the war began. Bristol came back, and he took two bits and gave to a man of plantation Vigilance, and he told him to run and tell Joseph to take care that he did not do any thing in the way of taking away the buckra's guns. I saw Quamina and Bristol go on the path towards Mr. Smith's house; it was not quite an hour before Bristol came back.

(*Questions by the prisoner.*)—What day was it that you and Quamina went to the prisoner's house, when you heard Quamina advise the prisoner to take Jack and Joseph, and speak to them?—It was on a Sunday.

Did the prisoner say nothing else about working on a Sunday than what you have already stated?—I cannot remember any thing else. I now recollect the parson said, if any member of the church has work given to him by his master, he, the parson, won't say any thing; but if any member of the church did any work of his own accord on a Sunday, he should not be allowed to sit among them as a member for one month.

Did not many of the members go to work their grounds on a Sunday, and also go to market?—Yes, a number of them did so.

Were those that did so excluded from the chapel?—No, they were not.

Were they suspended from the communion?—They were not allowed to take it the same day, but they might the next.

Who was present when the parson said, that if your master had any work for you to do on Sunday, to tell him that Sunday is God's day?—Joseph was there, Jack of Dochfour, Bristol and them; also Bill and many others.

(*Question by the court.*)—Was it once only, or often, you heard the parson say, that if your master gave you work on a Sunday, you were to tell him it is God's day?—He told us this often.

How long ago was it that you heard the negroes say, that if Sunday was to be taken from them, then they ought to have Saturday, or even the afternoon?—About two years ago.

[The Court then adjourned until to-morrow.

Fifth Day, 17 October 1823.

Fifth day, October 17th.

THE Court met pursuant to adjournment.

Manuel was again called in.

(*Questions by the court.*)—You have said that the prisoner, at morning service, read about Moses, Joshua, and David; did he read of any one else?—Yes; I cannot remember the names of any other; he read about Elisha.

Do you mean to say, that he read only the Old Testament at the morning prayer?—Formerly he used to read the New Testament; but for two years past he has only read the Old Testament.

Did he read it straight through, or did he pass over any part of it?—He read it regularly through.

Did you ever see any whites at morning prayer?—No.

Where was the prisoner when you and Quamina went to speak to him?—Quite up in the top story of his own house, the place where he writes.

Was the door of the room open or shut?—The door was shut; always when we go in there, the door is shut.

Was the door shut at the time you and he and Quamina were talking together?—The door was shut.

Did you ever hear any of the deacons explain the text or sermon preached by the prisoner?—Yes; Romeo, and other deacons, or any of the deacons or members, at all times, to render the people sensible of what he preached.

Did you hear all the conversation that passed at that time between Mr. Smith and Quamina?—Yes.

8th Evidence.

Bristol, a negro of Chateau Margo, says he understands the nature of an oath; and being then duly sworn, deposed as follows:

My name is Bristol; I belong to Chateau Margo; I know the prisoner, he is Mr. Smith; I am a member of Bethel chapel, on plantation Le Resouvenir; I am a deacon. When the people come to be baptized, I have to see them, and then carry them to Mr. Smith; when I carry them he desires me to bring them in, and call Quamina, and show him them too, and then get some one who can read to teach them the catechism; and when they have been taught the catechism, and found to understand it, to ask them if they understand what it is to be baptized; then the other two deacons are to discourse with them; and when we have done with them, to carry them back again to Mr. Smith, and

Fifth Day,
17 October 1823.

and then he discourses with them again; after discoursing with them if they are fit to be baptized, he (Mr. Smith) puts down their names, such and such people from such an estate to be baptized at such a time; and when that time is up he baptizes them: When those who have been baptized six or twelve months before apply to become members of the church, they carry them to Mr. Smith; when we carry them, he says, "Take them and discourse with them;" and when we have done with them, we carry them back to Mr. Smith again; then he discourses with them; then he says, that such and such people, from such estates, are to be admitted into the church as members; then at the church meeting they come and sit on one side, a little way off from the rest of the members; then one of the members, or one of the deacons, get up and speak, and say such a brother, or such a sister, according to the sex, will you receive him or her into the church; at least Mr. Smith puts the question to the deacons or the members, saying, you know such a one, and must speak for him, for I have discoursed with him, and I find that he has a good understanding: when one of us gets up, and says, brethren, there is such a one admitted among us to day as a member; then one gets up and speaks, that the person is one with whom no fault has been found; and if any member from the same estate to which the person admitted belongs, he gets up and speaks too: Mr. Smith then gets up and says, if you all receive him as a member, you will all hold up your right hand; and they hold them up: then Mr. Smith calls him, or whoever it is, and shakes his hand, and says, I receive you as a member of this Church, and all the brethren and sisters receive him the same way; that is one part of the duty relating to me as a deacon of the Church. Another part of my duty as a deacon is on a Sunday, to see about the Church whoever makes any noise, and to keep all the people as quiet as I can. As a deacon I have to look after the conduct of the people who are members on the estate, and report it to Mr. Smith. At the sacrament I have to hand the bread and the wine round to the brethren and sisters. We collect money in the Church, but none out of it. The money collected is to buy the wine. Mr. Wray was the first who administered the ordinance there, and he left directions for throwing up the money in that manner. Whoever could afford it threw two bitts, and whoever could not afford it threw one bitt. This money is only thrown up when the ordinance is administered. The ordinance is administered every month. Only those who take the communion throw up this money, and not all those either, because some are not able. Those who do not take the communion, throw up at another time; not all of them, but those who understand that the money which is thrown up is for the Missionary Society. If a member cannot pay his two bitts for the communion, he is still allowed to come to the table. Each pays what he likes; no means are employed to force them. I have seen members of the Church pay for psalm-books, catechism books, bibles and other books. Sometimes the people carry to Mrs. Smith fowls and yams. Mrs. Smith is the lady of Mr. Smith. They carry these things, not in lieu of money, but as a present to be eaten. A few of the people who are not able to buy have bibles given to them; a few of them not so many. If I report the conduct of a member to Mr. Smith as improper, he is then not allowed to come to the table; but if he is only a Christian, they don't do him any thing. Quamina is the head deacon of Bethel Chapel. Quamina, of Success, Jack's father. The next deacon is Jason, formerly of Better Hope; his master has, I believe, given him free, now he is old. Seaton is the third deacon, and I am the fourth. Jason still officiates as a deacon; he stays in front of Turkeyen, Mr. Benny's estate, with his daughter. The deacons have no sign to know one another without speaking. By discoursing with the people, I mean, asking if they know the meaning of coming to the ordinance; if they do not understand it, the deacons are empowered by Mr. Smith to explain it. The old deacons Quamina and Jason were put by Mr. Wray; Mr. Smith put Seaton and myself. The deacons do not meet together by themselves. Sometimes after the service of a morning and afternoon, the deacons stop behind with the parson; that is after the other people are gone. When we stop it is for the purpose of going with him into the house to reckon up money. Some of the members stop besides. The money we have thrown up for the Missionary Society is what we stop to reckon. As a deacon, I have explained to the people on our own estate the sermon preached by Mr. Smith. Mr. Smith told me to catechise the people at home, but did not tell me to explain the text or sermon. When Mr. Smith has any thing to communicate to the other people, he does it himself. There are only four deacons. Telemachus is not a deacon. Jack, of Success, son of Quamina, is not a deacon, he only teaches in the Church sometimes. I cannot say how many teachers there are. On every estate almost there is a teacher; Romeo is a teacher at Le Resouvenir, Seaton at Success. A man on Chateau Margo, of the name of William, can read a little, and teach the catechism; on La Bonne Intention, a lad called David teaches; on Baron Grovestin's estate, a lad called Cornelis teaches; but on the other estates I don't go, and I don't know the people unless I see them at chapel, except Jacky Reed, of Dochfour. Jacky Reed is a teacher there. A man they call Luke, I believe, is a teacher on plantation Friendship; Telemachus was teacher on Batchelor's Adventure; there were two or three more there, Joseph and Prince, they teach also; I dare say Sandy is teacher on Non Pareil; Sandy only I know there. I know Paul, of Friendship, but cannot say whether he was a teacher. I know the duty of a teacher; as far as I know it is teach the people their catechism, that is what I am commanded to do by Mr. Smith; on my own estate I appoint the teachers, after they are appointed, Mr. Smith asks who teaches, and I tell him. Divine service is performed at Bethel chapel twice on a Sunday; they begin in the morning about seven o'clock; the second begins about twelve o'clock, the first service is called the morning prayer, at that

Fifth Day, 17 October 1823.

service, when first Mr. Smith goes in he gives out a hymn; then one of the members or the deacons pray; then sing another hymn; then one more prayer, and then Mr. Smith reads a chapter in the beginning about Moses; I have heard him read about Moses leading the children of Israel, and so forth; I don't recollect any thing more. The deacons when they pray, pray aloud; the prayers are from our hearts, not learnt out of a book; not all the deacons pray; sometimes I pray, and sometimes one of the others, one of the deacons, or one of the members; whoever may be there pray; Mr. Smith prays the last. Mr. Smith said, the time, when the children of Israel were with king Pharaoh, that Moses went to deliver them from the hands of Pharoah, and carried them to the promised land, and before they went to the promised land Moses died. Moses went to deliver the children of Israel because they were slaves under Pharaoh; he read Exodus to us; he read Joshua to us; I cannot recollect any particular chapter from Exodus, or the purport of any; I recollect from Joshua; Joshua, I believe, was the person who led the children of Israel after Moses was dead. One night in every week service was performed in Bethel chapel, besides Sunday, it was on Thursday; there is no other night service; I never saw any whites at the morning service on a Sunday, they were not prevented from coming; the doors of the chapel were not shut at the time we were saying prayers aloud; I never heard the prisoner say any thing about the treatment of slaves; sometimes when the people come to complain, or when they are hindered from coming to the chapel, and some of them get licked; then he tells them, well, I cannot help that; but it is not right for your masters to lick you, and hinder you from coming to chapel; only when the people come with such complaints as I have just now spoken of, the prisoner listens to them. The prisoner has advised me and others what to do, when we had such complaints, to go to the fiscal or the governor; sometimes the people run away, or so, and he says, when you run away, you must not let them catch you again, for they will punish you.

I remember when the governor's proclamation respecting the negroes going to church was read to the head people on the estates by the burger captain of the district, I heard the prisoner speak about that proclamation; he said there was an order for all the people to come to church, and no body was to hinder them; the owners were to give every one of them a pass to come to chapel, and the overseer with them, and when they had done at the chapel, the overseer was to go back with them, and take them home, so far I heard; Mr. Smith said, this was a good law; Mr. Smith said, in this country, we cannot attend chapel as we wish, as they could in a free country, and in this we are slaves, and that we must pray to God to help us, that we may be enabled to attend as far as we can. I have heard the prisoner speak about working on a Sunday; he said, that if our master gave us work on a Sunday we must do it, because we could not help it, and that we must not break the sabbath in doing our own work, because we must keep holy the sabbath day, which is a command of God. Mr. Smith said that God would punish us for working our own ground on a Sunday.

A revolt broke out amongst the negroes lately. I know it was one Monday, about six o'clock in the evening; I suppose about nine weeks ago. I was at Bethel Chapel the day before the revolt broke out; I was at both services. At the forenoon service I believe Mr. Smith read something about Jesus looking upon the city of Jerusalem and weeping. After service I did not go straight home; we stopped close to the chapel a little while, when we heard Jack and Joseph talking about the paper that had come from home; that the people all were to be made free. Emanuel told Quamina he had better go and ask Mr. Smith about it, and when Quamina was going into Mr. Smith's house, I went in with him; and when we went, Quamina asked Mr. Smith if any freedom had come out for them in a paper. He told him no; but that there was a good law come out, but there was no freedom come out for them. He said, "You must wait a little, and the Governor or your masters will tell you about it." Quamina then said, Jack and Joseph were speaking very much about it; he said, they (Jack and Joseph) wanted to take it by force. Mr. Smith said, "You had better tell them to wait, and not to be foolish. How do you mean that they should take it by force? They cannot do any thing with the white people, because the soldiers will be more strong than you; therefore you had better wait." He said, "Well, you had better go and tell the people, and Christians particularly, that they had better have nothing to do with it." And then we came out. And then I saw a man belonging to Vigilance, of the name of Washington, remaining at the church; I called him. Quamina began to speak to him, and asked me if I had got any money in my pocket. I told him I had two bitts. He told this man, "Then (giving him the two bitts) run up as fast as you can, and call down Joseph; Mr. Smith wants to see him." I then went home, and I told Manuel that we had been to see Mr. Smith, and he said that there was no freedom in the paper for us, and that we must tell all the people so; I told him that we had sent to call Joseph already. A little while after Jack and Paris came up. Manuel told them, that Mr. Smith had told them not to have any thing to do with the business, and that he (Manuel) had been telling them so before during the week. Jack and Paris said, "Well, do you having nothing to do with it, you are cowards." When Mr. Smith observed to Quamina that the soldiers would be too strong for them, he said they would drive all the white people, and make them go to town. Quamina said the report was, the soldiers would not come, and would have nothing to do with it. This last about the soldiers not coming was said after Quamina came out from Mr. Smith. The revolt began at Success. I know Quamina, of Success; he was engaged in that revolt, because, I heard, they took him up before the revolt began. Jack and Paris were the leaders of the revolt; they said they would go on with it, and then did so. The plan before the revolt broke out was to drive the white people,

Fifth Day,
17 October 1823.

people to town, as I stated before. I was not at the meeting on Success middle-path; I was not there after service, before I went to Mr. Smith with Quamina; I came straight from the chapel to Mr. Smith's house. A week before this revolt broke out, I heard Quamina tell the negroes that they were to lay down their tools, and not work. I saw Quamina on Wednesday after the revolt broke out; I saw him at Success-back; he had others with him, some people from Success, some from Souvenir, some from Mr. Simpson's, and some from Dr. McTurk's; when I went there, he told me he had been sitting up all night, and was then going to lie down under a coffee-tree; the negroes of Success had not returned to their duty at that time, they were all there a-back; I saw Quamina the next day at the same place on Success-back, half-way between the canes and the plantain walk; the same people were then with him; no part of the estate's people had returned to their duty on that day, that I know of; Quamina said they were coming down in the night to see if they could go to Dr. Mc Turk's, but they heard the soldiers were there and did not go. I saw Quamina again on Friday at the same place, the people had then began to scatter themselves; they heard that Mr. Edmonstone had come there; from that place Quamina went away; Quamina went to the bush, I cannot tell how many people went with him; some of the Success people went with him. After I came here I heard that Quamina was shot by the Bucks, and gibbeted in Success middle path; when I saw Quamina and the rest of the people on the back of Success they were armed; they had muskets and some fowling pieces, and some of them had cutlasses; I have heard the people sometimes talk, that if we had another day we should not have occasion to break the Sabbath; at our prayer-meetings we prayed to God to help us and to bless us all, that we may be enabled to seek after him more and more, and that he would bless our masters, and the governor and the fiscal; that we might make good servants unto them, and they might be good masters unto us; and to give us health and strength to do that which it might be our duty to do, and to bless all our brothers and sisters; we pray about our masters hearts, we pray to the Lord to bless, and change our hearts, and change our masters hearts likewise (I have heard some of the boys who read the bible, speak about the Israelites and the Jews, about the fighting of the Israelites when they go to war; when the prisoner read about the fighting of the Israelites, after they went home and read it again, I heard them speak about it; they said the people of Israel used to go warring against the enemies, and then I explained the meaning of the enemy and told them it was the people who would not believe the word of God when Moses used to preach to them; the people applied the story of the Israelites and the Jews, and put it on themselves; when they read it then they begin to discourse about it; they said that this thing in the bible applied to us just as well as to the people of Israel; I cannot tell what made the negroes apply it to themselves? what created the discontent in the mind of the negroes was because they had no other time to wash their clothes, or do any thing for themselves, but the Sabbath day, they could not wash their clothes or do any thing for themselves on a Sunday, because they had to go to the chapel.

The Court adjourned till to-morrow morning at ten o'clock.

Saturday, Sixth day, October 18*th.*

Sixth Day,
18 October 1823.

The Court met pursuant to adjournment, but two of the assistant judge advocates being unable to attend from indisposition, it was deemed proper to adjourn till Monday morning.

Seventh day, Monday, 20th October.

Seventh Day,
20 October 1823.

THE Court met pursuant to adjournment.

Bristol was again called in; and deposed as follows: to

Questions by the Prisoner.—After you were examined on Friday last, where did you go?—I went back to the jail.

Whom did you see?—I saw the prisoners in the jail.

Have you conversed with any gentleman since Friday last?—No.

Have you at any time been instructed to say what you told the Court on Friday last?—No; it came from my own heart, and was not put into my head by any one.

Did you ever tell any one the whole, or any part of what you told the Court on Friday last, concerning me, and the matter in question?—Mr. Smith (the assistant judge advocate) and some gentlemen at Mr. Martin's house.

Is the money which you collect in the church on those days, when the Communion, or Sacrament is administered, used for no other purpose than to buy bread and wine?—That I cannot tell.

Is it not used to buy candles?—I don't know.

Are not candles sometimes used in the chapel?—Yes.

Who buys them; who pays for them?—I see the candles come from Mr. Smith's house, and I dare say he buys them, and he pays for them.

Do you know with whose money he pays for them?—I cannot tell.

What is the largest sum the deacons ever collected upon a Communion or Sacrament Sunday?—Sometimes thirty-five guilders, sometimes thirty-four.

What is the smallest sum that has been collected on the like occasion?—I don't think any smaller sum than thirty guilders, that I recollect.

Seventh Day, 20 October 1823.

Was the keeping or care of this money ever offered to any one else?—I don't know; he never offered it to me.

Is the Ordinance, that is the Communion, or Sacrament, administered on the first or second Sunday of every month?—I think the second Sunday.

Have you ever been present when any money was offered to Mr. Smith for the Missionary Society?—Yes, I have.

What took place when money has been so offered?—When people bring money, Mr. Smith puts down their names, and the money which each throws up, opposite his name.

Has Mr. Smith always accepted the money so offered?—Yes, he always did.

How much have you seen paid for each and every one of the sorts of books, sold by Mr. Smith?—The Hymn books, some for *f.* 2. some *f.* 2. 10. and some for *f.* 3. The Bibles which he brought last were sold for *f.* 14. 10. each; some of the Testaments *f.* 2. Some of the Spelling-books six bitts, some of the Catechism books for two bitts, and some of them for one bitt; other books he sells for four or five guilders, next to the Bible, about the size of a New Testament.

Did the prisoner sell the same sized Bibles to all persons at the same price?—Yes; there were smaller Bibles at twelve guilders. Sometimes if you come to buy a *f.* 14. 10. Bible, and happen to be short, a bitt, or a guilder, he will pass over that, and let you have it without the bitt or guilder.

How large were the bibles that were sold at twelve guilders?—About the size of an octavo book produced, but thicker.

Did the negroes often give fowls or yams, or such things, to Mr. Smith's lady?—Not very often.

Do the negroes keep many fowls?—Some of them have a great many, others not.

Did Mr. or Mrs. Smith ever buy fowls, yams, or any other kind of food from the negroes?—Yes, they do buy.

When you instruct the negroes in the meaning of the Ordinance, what do you tell them?—I tell them to consider what they are going about, and that they must pray to God, and prepare their minds, and that they must not thereafter commit sin again; that we must look to God to help us at any time, and we must consider well what we hear read in the bible every day, because, if we do partake of the Ordinance, and commit sin again, we have a greater account to give when we die. So far I discourse with them, and the rest is for Quamina and the other deacons.

To whom did you ever explain any text or sermon preached by the prisoner?—To Manuel and William, on our own plantation; Primo and Rose, Nelly, and some other people that have not yet been baptised, on the same estate.

What do you mean by appointing the teachers?—That is, to get one that can read to teach the people their catechism.

Did you ever know Mr. Smith object to the appointment of any teacher who was capable of teaching?—No.

Do you know any thing about Peter, or the first epistle general of Peter?—I have heard it read, but I don't remember it.

How long ago is it since you heard the general Epistle of Peter read?—I cannot remember rightly.

How long is it since Mr. Smith read to you about Moses and the children of Israel, and about Pharaoh and his soldiers?—About two or three months before the rising took place, or longer.

Did Mr. Smith, when he was reading the bible, begin the next time at the place he last left off at?—Yes; he explains what he read the Sunday before, and then goes on to the next chapter.

How do you know that he began at the very next chapter to the one he last read?—Because he named the chapter he read the last Sunday, and then named the one he was going to read.

You have said you cannot read; are you sure Mr. Smith never missed any chapters?—Sometimes when he is going to read he tells us he passes over a chapter.

Have you learnt the catechism used in the chapel?—I have not learnt much, only a part of it.

Have you learnt any thing from it about Joshua and Moses, and the children of Israel?—I have not reached so far.

In what part of the bible did Mr. Smith read on Thursday evenings?—He read in a part about the Apostle Paul, where he went to a place, when they took him up and put him in prison.

What did the people complain that they were licked for?—Some of them complained of having been licked because they did not attend to the work given them on the sabbath.

Did they complain to Mr. Smith that they were licked for any thing else?—They might have done so, but I do not know of it.

Did Mr. Smith ever encourage any negroes or negro to run away?—I never heard he did.

What did Quamina mean by saying that Jack and Joseph wanted to take their freedom by force?—I suppose that he meant they intended to fight with the white people, or something like that.

Who else was present, or in hearing, besides Mr. Smith and Quamina, and yourself, when Quamina told Mr. Smith about the negroes taking their freedom by force?—I know that Mrs. Smith was in the hall, but nobody else was present.

Seventh Day, 20 October 1823.

Where were you and Quamina?—In the gallery at the side of a large table Mr. Smith had there.

Was there any thing said about the managers?—Yes; Quamina said they were going to drive the managers all away to town; Mr. Smith said they would not go; and said, "you had best not do that, because if you do the soldiers will come and drive you back again; you had best tell the people not to do so; they are not able to go against them to fight them;" Quamina went out, and I followed him.

Did Mr. Smith say nothing else?—I don't remember that he said any thing else.

Did Quamina tell Mr. Smith of his own accord, or did Mr. Smith ask him any questions?—Quamina told him of his own accord; Mr. Smith did not ask him.

Were there any preparations made for the war by the people, before you and Quamina went to Mr. Smith?—No; I don't know of any.

Had the people no guns, or powder, or shot provided?—I did not see any.

Did Quamina tell Mr. Smith by what means they intended to drive the white people to town?—No; he did not.

Did Quamina say for what purpose they were to be driven to town?—No; no further than I said before, that Jack and Quamina had said their freedom had come out.

Did he, Quamina, say when the white people were to be driven to town?—No.

Did you hear all the conversation that passed between Quamina and Mr. Smith at that time?—Yes.

Will you state all that Mr. Smith said, as all that Quamina said?—I only heard what I have already stated, as far as I can recollect.

Did you and Quamina tell Mr. Smith, that you came on purpose to tell him about Jack and Joseph, and what they intended to do?—Yes; Quamina told him him that he came to ask about it, because Jack and Joseph were speaking very much about it.

Did you and Quamina and Mr. Smith talk about any thing else at that time?—No, not that I remember.

Did you talk to Mr. Smith on that Sunday about your little girl?—Yes, I believe I did before that, before Quamina went in; when I spoke to him about the little girl Quamina was not with me; I spoke to the Lady of Mr. Smith also about taking her.

Who were present when you spoke to Mr. Smith about your little girl?—Mr. Smith and Mrs. Smith; I don't remember any body else.

Did any body come in when you were talking to Smith about your little girl?—That I can't tell; may be somebody might come in.

Where did you go after you had talked with Mr. Smith about your girl?—I went to the chapel, I believe.

Where did you go then, after that?—After that I think I went home.

Did you see the prisoner on that Sunday after you had gone home?—No.

Did you ever hear Mr. Smith talk of the people having another day to themselves besides Sunday?—No, Sir.

How long is it since you heard the people talk of another day to themselves besides Sunday?—I heard of it first about two years ago, and more of it since this paper came out.

Did you ever hear them say so in the time of Mr. Wray?—No.

Have you ever heard the people talk about any one else fighting except the Jews and the Israelites?—No.

Did you ever hear of the battle of Waterloo?—No.

Did you ever hear of the French and English fighting?—Yes, I have heard.

From whom?—Plenty of people all about.

Have you ever heard the prisoner apply the history of the Jews or Israelites to the negroes?—No.

Can you give no reason at all why the people, when they read about the history of the Jews or Israelites, applied it to themselves?—No.

Could any member of the chapel read before Mr. Smith came to live on plantation Le Resouvenir?—Some could read, but very little: one or two.

Did the boys or people ever speak about any other part of the bible than that about Moses and the children of Israel?—No, I never heard them speak about any other part.

Were the deacons taught by the prisoner to pray with their eyes open or shut?—He told us it was best to shut our eyes to pray.

When the communion service is performed, are all and every one of the doors of the chapel shut?—Yes.

What becomes of the door through which the parson enters the church?—That is open; that door is not in the chapel, it is in a little gallery outside which joins the chapel.

Is there any door between the gallery and the chapel?—Yes.

Is that also open during the communion, or sacrament?—Yes, it is.

Do any of the congregation go in at these doors?—When we take the ordinance, no body comes in at these doors, but at other times they do.

Is any one prevented from coming in at these doors during the ordinance?—When we are taking the ordinance, they are hindered from coming in; Mr. Smith told them they were not to come in at that door.

Had you ever any orders to refuse any white person going in during the ordinance?—No.

Could any white people go in during the ordinance, if they liked?—Yes.

The Court adjourned till ten o'clock to-morrow morning.

Eighth day, Tuesday, 21st October.

Eighth Day,
21 October 1823.

THE Court met, pursuant to adjournment, and the following General Order was read; viz.

Head quarters, Camp-house, Demerara, October 21st, 1823.

General Order.

THE Judge Advocate (his Honor, V. A. Heyliger) having strongly represented that his long-continued indisposition, and other circumstances, incapacitate him from performing his duties at present, and having urgently prayed to be relieved from attending to their immediate execution, these duties will devolve upon the Assistant Judge Advocate, J. L. Smith, it being necessary that the Judge Advocate should have a week's leave of absence for the recovery of his health, and the service not admitting of such delay in the proceedings now pending.

(signed) *Jn^o Murray*, Com^r in Chief.

Bristol being again called in, deposed as follows to

Questions by the Court.—Were more people than usual at the forenoon service on the Sunday before this affair began?—Yes.

Were not the crowds such that many people could not get into the chapel?—Yes.

Name some who have had presents made of a book or books?—I did not see any books given myself; Quamina told me so.

When you stop behind with Mr. Smith, and reckon the money in his house, have you any talk about any thing but the money?—I never had any talk with him, except about the money.

When did you first begin to assist in collecting the money?—About two or three years ago, if I am not mistaken.

How many collection sermons for the society were preached in a year?—Only one.

In 1821, was not one preached in January and another in November?—I do not remember.

Do you ever remember any sum amounting to *f.* 300 or more, being collected at one time?—I cannot recollect.

Do you not remember *f.* 319 being collected on the 10th of last November, viz. about a year ago, or less?—I cannot tell; we reckon the money first, then Mr. Smith counts it all together, and puts it on a piece of paper.

Have you ever given any fowls or yams yourself to Mr. or Mrs. Smith?—Yes; I did not give him any yams, but I have given him fowls.

Did you ever hear Quamina, or any one else, converse with Mr. Smith about any thing besides the money, when you remained behind to reckon it?—No, I did not.

Did either you or Quamina tell Mr. Smith, that the Christians were so far gone that they would not stop?—I did not tell him so, and I can't tell if Quamina did.

Has the prisoner at any time sent you, as a deacon, to communicate with the people on your estate, or with any of the people who attend Bethel Chapel?—No, he did not.

Is it a part of the deacon's duty to explain the text or sermon to the people who are not able to understand them?—I did so, because I considered it was good; but I did not consider it was my duty to do so.

Did you know any thing of the meeting that was held on Success Middle-walk on Sunday?—No; I knew there was going to be a meeting somewhere, but did not know where.

Did you, or Quamina, mention the circumstance of the intended meeting to Mr. Smith?—No.

Did you know of the meeting at the time you and Quamina were with Mr. Smith?—Yes.

Did you ever see a White person in chapel during the time that the Sacrament was administered?—Only one time I saw Mr. Hamilton there, three or four months before the rising took place, but he did not take the ordinance with us; he sat on one side.

Michael M'Turk, being duly sworn, deposed as follows:—

9th Evidence.

I live on Plantation Felicity; I am captain of the 1st company, 2d battalion of the militia; I am a burgher-captain. I know the prisoner; he resides on Plantation Le Resouvenir, the next estate to the eastward of Felicity; he has resided there, I think, about seven years. I understand him to be a missionary clergyman. I remember some cases of small-pox occurring on Le Resouvenir, in the latter end of 1819. I received orders from Government respecting the chapel at Le Resouvenir connected with the small-pox. The orders inclosed an open letter to Mr. Smith, Missionary, directing him to shut the Chapel to all negroes except those belonging to that estate, to prevent the disease spreading. The letter addressed to Mr. Smith was dated 20th November 1819, and that to myself the same date. As burgher officer, I communicated these orders to the prisoner. I had a discretionary power not to remove this restriction as long as the small pox was on that property. [The instructions received were read to the court, and are marked respectively N° 1 and 2. These orders were partially observed by the prisoner for nearly three weeks. The restriction was not removed at the end of three weeks, though Mr. Smith required it should be by letter dated 11th December 1819. [The letter produced to the Court marked N° 3, and read.] I replied to him by letter. I had no conversation with him personally at that period. I refused to take off the restriction by letter. The restriction was taken off on

Eighth Day, 21 October 1823.

on 29th January 1820. I had a conversation with the prisoner subsequent to my refusal by letter, and previous to 29th January 1820. I think it took place on 24th December 1819. I found it necessary, in consequence of Mr. Smith's continuing to preach without liberty being granted, to address a circular to the estates within my Company, desiring them not to allow the negroes to come to the chapel, or estate of Le Resouvenir, in consequence of the small-pox being still there. This circular went round on 24th December, and it was on the evening of that day that Mr. Smith attacked me in a very violent manner at the manager's house on plantation Le Resouvenir. He stated that I was acting very incorrectly; that I had no authority for what I was doing; that he had authority from the Fiscal to preach to whom and when he pleased. To this I observed, that if he had such liberty as he asserted, he should produce the authority, as I would hold him responsible for any of my acts in carrying the Fiscal's orders into execution, as I was not aware of any he had. To this Mr. Smith answered, that he had no communication from the Fiscal but that I had forwarded; but, he (Mr. Smith) said I have influence over the negroes minds, which influence is great, and I will use that influence to bring the negroes of the neighbourhood to chapel, and preach to them in defiance of all the authority you possess. To this I replied, I should be extremely sorry if I was driven to alternative means to prevent him; and cautioned him against such conduct. He persisted in stating that he would preach to the negroes; I told him I would repel any such meetings, and then went away, and left him. I received in the course of this present year, additional instructions respecting the negroes attending chapel. [The instructions were produced and read to the Court, marked N° 4 and 5.] The witness then stated I forwarded a copy of these instructions to the prisoner on 23d May last. I recollect the 18th August last, I was on plantation Felicity until five o'clock in the afternoon. I was informed by a coloured man, about four o'clock in the afternoon, that the negroes intended revolting that evening, and he gave me the names of two, said to be ringleaders, Cato, and Quamina, of plantation Success. The revolt actually broke out about five o'clock that night, on plantation Success, the next estate to Windward of plantation Le Resouvenir. It spread through the whole coast as far down as plantation Le Reduit, and partially below that on the town side. It extended eastward, I have understood, as far as Mahaica. The negroes on Le Resouvenir were in a state of rebellion, and particularly active. This revolt lasted about ten days; the negroes were in a state of rebellion on 19th and 20th and 21st, and some days after that. As Burgher officer, I have been four times in the Bush since this revolt. I saw, on one of these occasions, Quamina of Success after he was shot; this was about two or three weeks after 21st August. He was shot by an Indian under Lieutenant Nurse's command. There was a reward offered for him of *f.* 1,000. He is hung in chains on front of plantation Success. There was one man with him when he was shot named Primo, of Chateau Margo. They were not armed. Quamina had a clasp knife. I took three prisoners on that occasion, besides Quamina. Primo stated it was the intention of Quamina never to suffer himself to be taken alive. Primo was one of the three prisoners taken. My house on plantation Felicity is about 40 or 50 roods from the road. The distance of the prisoner's residence from mine is about 300 roods.

The Assistant Judge Advocate then called the attention of the Court to the following Extracts from the prisoner's journal:

"1819, October, Saturday 30th.—While Mrs. S. and Mr. and Mrs. M. were catechising, Quamina, Seaton and York, three of the best and most sensible negroes belonging to Success came to tell me, that their manager, Mr. Stewart, had given strict orders that not one of the slaves belonging to that plantation should come to the chapel, for he had heard that the small-pox was at Le Resouvenir. Quamina said, he replied that most of the people had had the small pox, and all the others had had the cow-pox, therefore, if the small-pox was at Le Resouvenir, there could be no danger of people catching it. The manager replied, he did not care for that; none of them should come to the chapel."

"Sunday, October 31st.—To-day we had the smallest congregation that I have seen at our chapel, on a fine Sunday, since I have been here, the reason of which is, that most of the managers prevented the slaves coming, under the plausible excuse that the small-pox is on the plantation; the fact is this, there are three persons who have the small-pox, and those three are removed to a house more than three miles to leeward of the chapel, quite at the back of the plantation, a solitary place where no one would go if they could, so that there is no more danger of the negroes catching the small-pox by coming to chapel, than there would be in going to Tunbridge chapel, if three people had the small-pox in a solitary house on Hampstead hill; the fact is, the planters are glad to lay hold of any thing to prevent the slaves attending to religion. I suppose there is not one in a hundred in the colony, but has either had the small-pox or the cow-pox."

"December, Friday 24.—I, and Mrs. S. went down to town to see Mr. Mercer, when we returned in the evening, we found several negroes waiting to see me; they told me their managers had given them orders not to come to the chapel any more, and that this order had been given to all the negroes in the neighbourhood; they said the order was from the Fiscal, and was carried from one plantation to another by a man in a red jacket; they were in a good deal of trouble; I told them to be easy; that I did not believe the order was from the Fiscal, and that I would try to find out what it was, and to get it altered. I went over to Mr. H. who told me that it was nothing but a request from Dr. M'Turk, that the managers would keep their negroes from the chapel. The reason which M'Turk assigned to me this evening for his conduct is, that he don't know but the small-pox may be latent in the estate."

Eighth Day,
21 October 1823.

The witness (M. M'Turk) further deposed, "I am a medical man; I do not practise it at present for plantation Le Resouvenir, but I did at that time. I had reasons to believe the disease to be latent on the estate about the 24th December; two cases were in the negroe-houses which had not been reported, but which, being medical attendant, I discovered by chance. The circumstance of their going through the disease in the negro-houses rendered it, most assuredly, probable that any negroes coming there would catch it."

Ninth day, Wednesday, 22d October.

Ninth Day,
22 October 1823.

THE Court met, pursuant to adjournment.

Michael M'Turk being again called in, deposed as follows:

"The measures which I adopted for continuing the restriction on the chapel were approved of by Government. I am aware of this, because in consequence of the Fiscal being sick on his estate, I had no answer to my communication so soon as I could expect, and wishing to allow Mr. Smith to preach as soon as possible, I addressed a letter in my capacity as burgher captain to Dr. Walker, the then officer of health in this colony. He replied to my communication, stating that it was unsafe to allow the negroes of the neighbouring estates to frequent the chapel on plantation Le Resouvenir, as he considered the small-pox had by no means left that estate. This letter I forwarded to the first Fiscal, with my remarks. I then received orders from the first Fiscal to put the recommendation of Dr. Walker into effect, which were, that I should instruct the medical attendant of that property to examine all the negroes twice, allowing eight days to intervene between each examination. This I did accordingly; the negroes behaving very disobediently, only about two thirds of them appearing on the first examination; and at the second, no more than five or six.

I communicated to Mr. Van Cooten, the attorney of the estate, the conduct of the negroes, who requested, that I would have a third examination made, which was accordingly done, and certificates granted that the small-pox had disappeared from that estate. These certificates Mr. Van Cooten forwarded to the Fiscal, and I was instructed to take off the restriction. The restriction applied solely to the chapel on Le Resouvenir, it did not at all prevent the prisoner preaching to the negroes on other estates. Subsequent to the revolt, I gave orders to lieutenant Nurse concerning the prisoner; I requested lieutenant Nurse to repair to plantation Le Resouvenir, and there to desire the attendance and services of Mr. Smith on plantation Felicity, as the accounts I continued to receive, both with regard to the intention and number of the insurgents, made it absolutely necessary to have every person within my command to repel them. This was on the 21st August. I gave orders respecting his papers, which were to seal them up in the event of his refusing to comply, but not otherwise. He did not return with lieutenant Nurse in obedience to those orders; lieutenant Nurse reported that he refused to comply with my orders,

Questions by the Prisoner.—How many cases of small-pox were there upon plantation Le Resouvenir in the latter end of 1819?—Six reported, and two not reported.

What do you mean by saying, that the orders you received from the Fiscal, and which you conveyed to the prisoner, were *partially* observed by the prisoner for three weeks?—Some people attended service at the chapel from Vryheid's Lust.

Who were those people?—I don't know their names.

Did you ever correspond with any other person than the prisoner, the Fiscal and doctor Walker, concerning the restriction in consequence of the small-pox on Le Resouvenir?—I did.

With whom?—Mr. Van Cooten, the attorney of the estate, in consequence of a letter he addressed to me.

Did you not write to Mr. Hamilton, then the manager of that estate?—I did also

Did you receive any letter from him on the subject?—I did.

How long did the small-pox actually continue on Le Resouvenir?—The time is so great that I cannot recollect, but to the best of my recollection it was there in October, and the restriction continued till 29th January.

Where were the negroes that were infected placed?—Those that were reported were placed in a house about 300 roods from the back dam of the estate.

What became of that house?—I burnt it.

When did you burn it?—I cannot recollect the period; it was after I conceived those who were placed there could no longer communicate the disease.

Was it before the conversation on 24th December?—I cannot recollect, but I rather think it was.

Did the two cases of small-pox, not reported, occur before or after the house was burnt;—Previous.

When the house was burnt, did you make no remark, or give any opinion as to the eradication of the decease?—None whatever; the manager was from home when the house was burnt.

After the house was burnt, and you next saw the manager, did you not declare that the disease had disappeared, or words to that effect?—I stated to the manager that it had disappeared as far as regarded those that had been set apart; but with regard to those that had remained in the negroe-houses, I considered it as liable to produce infection as ever.

Were not all the negroes who had been ill, at that time cured?—I could not tell; I have reason to believe the contrary.

Will

Ninth Day,
22 October 1823.

Will you state those reasons?—From the circumstance of finding some of the negroes unreported.

Had you not, as the medical attendant, as well as burgher-captain, free access to *all* the negro-houses?—I had not: as burgher-captain, I go when required, as medical attendant, I do the same.

What do you mean by some of the negroes unreported?—The laws of the colony require that all cases of small-pox should be reported to the burgher-captain, under a penalty of *f*. 3000 for each offence; and in these two cases that was not complied with; I found it out by accident myself.

How many orders did you issue, or were issued through you, to the managers of other estates during the time of the small-pox?—Two I am aware of; I do not recollect any more at this time. The orders were not addressed to managers, but to the persons in charge of the estate.

Will you state what was the first order?—[The first order produced to the Court, and read (marked N° 6). The witness stated that the order produced was signed by only half the estates within his district, a similar order had also been sent to the other half up the coast] The signatures at the foot of the order by the different estates are an acknowledgment of their having received it.

Before this, had any order, to your knowledge, issued to prevent the negroes of other estates from coming upon plantation Le Resouvenir generally?—I am not aware of any.

Did Dr. Walker visit the estate, and examine into the matter upon the estate, before he gave you the directions you have stated to the Court?—He did not: he gave no directions; he gave an opinion.

Do you know from what Dr. Walker formed his opinion?—I do.

Will you state it?—From the circumstance of my having found negroes unreported in the negro-houses, and as that house could not be burnt without burning others, it was impossible to prevent communication; so there was every reason to believe the small-pox must still be on the estate. That was the representation I made to Dr. Walker, and he gave his opinion it was correct, and recommended that the negroes should be examined twice.

Did you not, in compliance with Mr. Van Cooten's order, go on a Sunday morning to inspect the negroes, and before they could be got together, return without doing it?—I went by Mr. Van Cooten's orders, or rather by appointment, with him to examine the negroes the second time. On my way thither, I met with a number of the negroes belonging to plantation Le Resouvenir, on the side line between plantation Felicity and that estate; they had passes from their manager, Mr. Hamilton. When I went to that estate, to the manager's house, I found Mr. Hamilton in his night-gown; and on asking him why he gave these negroes passes, when he must be aware that the negroes were to be examined that morning, he observed that the negroes had come all there in a body that morning, protesting against any such examination. I desired him to call the list of the negroes of the estate, and we went to the end of the carpenter's-lodge for that purpose. I waited nearly an hour, sending the drivers occasionally to call up the negroes: they would not come; they stood in the negroe-house doors. I called to them myself, and they would not obey me, and only five or six out of nearly 400 negroes made their appearance. I sent a certificate to that effect to Mr. Van Cooten, together with a letter, stating the improper conduct of the negroes; and as Mr. Van Cooten found that the restriction laid upon the chapel of Le Resouvenir could not be removed by that certificate, he consequently requested I would examine the negroes on the following morning, making the third examination, which I refused to do, unless he or some other person would be present whom the negroes would obey. Mr. Van Cooten attended himself on the following morning, when the examination took place. The negroes on the estate on the Sunday morning, as I was going to the manager's house, pelted me with sticks and hard mud, and used most abusive language.

Did you mention to Mr. Van Cooten, or to any one else, that the negroes pelted you?—I did, and Mr. Van Cooten promised to punish the individuals; he communicated by letter, and the original is here. I likewise reported that the negroes pelted me to the first Fiscal.

During the small-pox did you give the manager of Le Resouvenir any order to prevent the negroes of Le Resouvenir from going upon other estates, or from coming to town, by refusing them passes, or otherwise?—None, that I recollect.

How do you know that people from Vryheid's Lust attended the chapel during that time?—From having opportunity of seeing them myself.

You said you had a discretionary power with respect to the continuance of the restriction laid on the chapel; did you inform the prisoner of that circumstance?—He was aware of it by the circular that went round.

Who communicated that circular, or its contents, to the prisoner?—It was sent round from estate to estate, as all other circulars are ordered to be sent round.

Is the prisoner a part of the estate, so that all communications to the managers must be made known to him?—Most assuredly; it cannot be supposed that the burgher-captains can communicate to every individual on the estate.

By what road would you go from your dwelling-house on plantation Felicity to the dwelling-house of the prisoner on Le Resouvenir, to make the distance only about 300 roods?—From my house across the Koker, in the trench, it is scarcely 300 roods.

Did you give Lieutenant Nurse any orders respecting Mrs. Smith?—I did; that she would have every proper attention at my house if she wished to remain there; but if she wished

Ninth Day,
22 October 1823.

wished to go to town, she should have a proper escort to take her there, or any where else she might wish to go to as a place of safety.

Have you stated all the conversation that passed between the prisoner and you on 24th December?—Not all.

How do you know that there were negroes with Quamina when he was shot?—From seeing them standing by him when I went there, and the report of the individual who shot him.

Were you with the expedition at the time Quamina was shot?—Yes.

Questions by the Court.—Did you observe any number of negroes going to chapel more than common on the Sunday before the revolt?—A great number more than usual.

Were you at home on Sunday before the revolt?—I was; I dined at Chateau Margo that day.

Did you receive any communication from the prisoner on Sunday evening, or at any time, relative to an intended rising?—Not at all.

What are your duties as a burgher-captain?—They are difficult to define. I am a known public officer, and have the command of the district.

Do you receive any pay for those duties?—None.

So long as the small-pox was on the estate, had you any power which would justify your disobeying or deviating from the Fiscal's orders?—None whatever; I considered myself bound to obey them.

Is the small-pox a very dangerous disease in this climate when it finds its way on an estate?—I should suppose it very dangerous.

Although a person is apparently cured of small-pox, as to any outward appearance, may not the infectious or contagious powers of the disease remain?—Most assuredly; even for months.

Is it more dangerous here than in Europe?—I should suppose it is.

You have stated that Mr. Smith addressed you in a very violent manner on 24th December 1819; pray explain this.—The conversation was a very desultory one: Mr. Smith observed, rather rudely, among other things, that it did not matter to him whether he preached to one or a hundred negroes; for "I am not paid by the head, as you are." He used every kind of language to irritate my feelings, and he said, "I know, sir, that you accuse me of taking money from the negroes; can you prove it, sir? I know, sir, if you could, you would. Do you know, sir, what Christmas means?" and many other questions of a similar nature.

The Court adjourned until ten o'clock to-morrow morning.

Tenth day, Thursday, 23d October.

Tenth Day,
23 October 1823.

THE Court met pursuant to adjournment.

Seaton, a negro of Success, says he understands the nature of an oath, was duly sworn.

10th Evidence.

I belong to Success; I attend Bethel Chapel, where the prisoner preaches; I am a member and deacon; I have known the negroes give fowls to the prisoner; I gave a duck and a fowl at different times: I never gave more; many negroes give ducks and fowls in that way; I remember the Sunday before the revolt began, I was on the middle walk of Success on that day; there were not a great many persons; some came from up the coast towards Mahaica, some from Le Resouvenir, and from the several estates from Le Resouvenir to Mahaica; they were making a bargain there about the rising. I saw Quamina there, he was not there when I first went, I mean Quamina, of Success; he had been at Mr. Smith's house, I know that, because I left him there; Bristol was there with Quamina. The agreement about the rising was made before Quamina came to Success middle walk. When Quamina first came he would not join in the agreement; he said Mr. Smith told him he must not rise. After the people had heard what Quamina said, they would not agree with him; the people still persisted in their intention to rise; the meeting lasted about a quarter of an hour. After the meeting Quamina went back to Mr. Smith's house, I saw him go in myself; I did not see Bristol at the middle walk that day; I did not see him after he went into Mr. Smith's house with Quamina. I saw Manuel that day, he went to the middle walk of Success with me. The revolt began at Success; many of the negroes of Success were engaged in it. After the taking of Jack every one rose together; I mean about four or five o'clock in the afternoon on Monday; Quamina was taken with Jack; Quamina was engaged in the revolt after it took place. Jack and Quamina were leaders, Paris, Jack, of Vigilance, Joseph, of Batchelor's, Adventure, and Telemachus; cannot remember any more; there were a great number of them; all these leaders attended Mr. Smith's chapel. I did not remain on Success all the time of this revolt; I left it on Monday evening; I went to the front; I went from Success to Plantation Triumph; I saw some of the rebels there, but not many; among them I saw many, besides those mentioned, go to chapel. I saw the negroes attack the white people at Triumph; they wanted to take up the manager and overseers, and to put them in the stocks, but Jack forbid it. I saw the white people in the stocks at Nooten Zuyl; one man had a gun at Triumph, and the rest had cutlasses, and I saw a large party with guns who went on before; Joseph was one of the party; I returned to Success on Wednesday; I saw Quamina there a-back; I saw him there all day till the evening, and saw him again the following morning, Thursday; something was said on the middle walk of Success on the Sunday before the rising about taking the guns.

Jack and Quamina said, and the rest agreed to it, that they should take the guns from the white

Tenth Day,
23 October 1823.

white people and then drive them to town;—every thing was agreed upon on Sunday at Success, in readiness for beginning on Monday evening; they then agreed to rise on that Monday evening; this was before Quamina left the meeting to go to Mr. Smith's the second time; the whole plan was laid before Quamina left the meeting.

Cross examined by the prisoner.—Have you been instructed by any one to say what you have just told the Court?—No.

Have you ever told any one before what you have just told the Court?—I have been examined before at Mrs. Meuten's, by Mr. Smith, Judge Advocate.

Was what you so told put down in writing?—Yes.

Have you since seen or heard what was so put down in writing?—I saw the paper at the time, but not since; it has not been read to me.

Mr. *J. L. Smith,* junior, Assistant Judge Advocate was here sworn, that a question might put to him from the Court.

Have you examined the witnesses for the purposes of this prosecution?—I have examined several of them, and the witness is one.

Have you attempted to mislead or instruct the witnesses as to the evidence?—As a witness here, I must answer, No; but I should think on ordinary occasions such a question too degrading to be put to me.

[The Court observed that the two preceding questions were put for the purpose of protecting the Judge Advocate from the imputations attempted to be thrown upon him by the Prisoner.]

The cross-examination was here resumed.

Questions by the prisoner.—How many times did Quamina go to the prisoner on the Sunday to which you allude?—I know he went twice, once from the chapel, and once from the Middle Walk.

At what hour did the meeting at Success Middle Walk take place?—About two o'clock; but I am not a great judge of time.

After what service was it that Quamina went to the prisoner?—After the noon service.

Where did you go after the noon service?—I went to the Middle Walk.

Who were present with Quamina and the prisoner, when Quamina went to the prisoner after noon service?—We three; Quamina, Bristol, and myself.

Was no one else present with Mr. Smith, but Quamina, and Bristol, and yourself?—I don't recollect seeing any one; I did not stay long; after putting a question I went away, Mrs. Smith was there.

How many times were you present in Mr. Smith's house with Quamina and Mr. Smith on that Sunday?—Only once with Quamina.

Whilst you were present with Quamina and Mr. Smith, did you hear any conversation between them? Yes.

Will you state it?—Quamina went there to Mr. Smith, and asked him about this paper; Mr. Smith said yes; that the paper is come out—that the paper had come out so far as to break the drivers; and that nobody should be licked any more again, and that if any body should be licked it would be by their masters, or their managers; and if any thing more than that they were to be confined. After I had heard that, Quamina told me to go away to the Middle Walk of Success, to stop the people till he came, and I went with Manuel to stop them.

Was there any thing said about freedom having come out from England for the negroes?—No.

How long was it after you got to Success Middle Walk, before Quamina came there?—About a quarter of an hour.

Did Quamina tell you, in the hearing of Mr. Smith, to go to Success Middle Walk? Quamina and myself were in the gallery, and Mr. Smith in the hall; I cannot say if Mr. Smith heard.

Did any one, at the time of which we are now speaking, leave Mr. Smith's house with you?—No body went with me from Mr. Smith's house; I fell in with Manuel on the way to Success Middle Walk.

In what part of Success Middle Walk was the meeting?—Near the Cocoa Nut Tree; you can see the house from where we met, but the people at the house cannot see us, because of the canes.

At what hour did the meeting break up?—About three or four o'clock; but I cannot judge of time.

Where did you go immediately after the meeting broke up?—Each went home to his own place, but I went with Quamina to Mr. Smith's; I did not go into the house with Quamina.

After you got home where did you then go?—I went to my house, got my supper, and went to sleep.

What did Quamina go to Mr. Smith's for, the second time?—He did not tell me properly what he meant to say to Mr. Smith, but he told me on the way there that he did not know what to say to Goodluck to stop him from going on; he said if he could only get any person that same night, he would send him to Jack. to stop the people over the coast at Mahaica side.

Tenth Day, 23 October 1823.

Whilst Quamina went into Mr. Smith's house, where did you go?—I went to the negro-houses, to a negro woman named Asher, for some corn which was left there.

Did you see Quamina after he came out of Mr. Smith's house that night or afternoon, when you and Quamina went there, as you say, from the meeting in the Success Middle Walk?—I and he went home together afterwards.

Where did you meet Quamina to go home with him from Mr. Smith's house, at the time mentioned in the last question?—I was walking through the yard, when Quamina seeing me, came out, and we went home together.

Was it dark or light when Quamina went into and left Mr. Smith's house, before you went home together?—It was not dark at either time.

How long before the sun went down?—Not very long.

Did you and Quamina, on that occasion, go straight home, and if yea, did you get home before the sun was down?—We went straight home, and the sun was just down after we got home.

Questions by the Court.—Were Jack, of Success, Quamina, Paris, Jack, of Vigilance, Joseph and Telemachus, either deacons or teachers?—Jack of Success, a teacher; Quamina, a deacon; Jack, of Vigilance, a teacher; Joseph and Telemachus, teachers; Paris I don't know.

Did Quamina make use of Mr. Smith's name on his going back to Mr. Smith's house after the meeting?—Yes; he told me he was going back again to Mr. Smith.

Was Quamina *first, second,* or *third* deacon of Bethel Chapel?—First.

How far was Mr. Smith from you when Quamina told you to go to Success Middle Walk to stop the negroes?—About 10 yards.

Did Quamina speak lower than common when he gave you the order?—Not lower than common; neither high nor low.

Who is Goodluck?—He belongs to a black man of the name of Peter M'Clure.

What was the purport of Quamina's first visit from the chapel to the prisoner?—He went to ask Mr. Smith about the letter that had come out from home.

John Bailey, duly sworn, deposed.

11th Evidence.

I was servant to Mr. Chapman, ordnance store keeper. I left his service about two months ago, a week after this revolt, the rising of the negroes on a Monday night; it broke out the 17th or 18th August. On that night my master directed me to go to Mr. Goppy's house, to drive his carriage up the coast, with a detachment of six men and an officer of the 21st regiment. I drove them up as far as Le Resouvenir, and could not get farther in consequence of the bridge being broken down. There were three other carriages with soldiers in them. President Wray's, Colonel Goodman's, and Mrs. Hewling's carriage. Colonel Goodman's own coachman, John Aves, drove his carriage. When we got to the broken bridge the soldiers alighted, and we were at a stand to know what to do. The soldiers went on across the broken bridge; we returned back with the carriage, and went to Le Resouvenir. We went into that estate; we saw the prisoner; he was in his own room up stairs; he was looking through the glass of the window; the other coachman, John Aves, kept along with me. After we had put the horses in the stable we went to look at the carriages. After we came to the carriages, the prisoner came down, opened the door and asked us in. We went in; John Aves, two black men who drove the other carriages, and myself. When I went in first; I said, what piece of work is all this? he, the prisoner, asked me what I meant by a piece of work; I said about the negroes rising; and it is very extraordinary we should not hear of it in town before it came to the point. He answered and said, why I have known about this these six weeks. It is something very strange, said I, we could not hear any thing of it in town, and you knew of it six weeks ago. I asked him then what he thought the grievance was. He said he could not blame the negroes much, for they were worked day and night and all Sunday, and that the manager on that estate had given a cat to the drivers as well as a whip; and not allowed them to go to chapel; and that there are to be no negroes flogged in the field, and no women to be flogged at all; only to be put in the stocks. He had papers in his house to that effect from home. I asked him what time this disturbance took place; he said about seven o'clock, when they came from their work. He said he had been busy writing all day, and had merely walked out about half past six o'clock to stretch his legs; and there he saw the negroes well armed with muskets, cutlasses, and things like pikes. That 50 able negroes had surrounded the manager's house, and taken six muskets and what ammunition they could get. He said, the two overseers ran to him for protection; the manager was away. I asked if he was not afraid to stop in the house alone, he said, no, they did not trouble such people as him. The two black people were there during this conversation; the one I believe belongs to Mr. Robertson, the other is the President's coachman.

Questions by the prisoner.—Did the prisoner say that he knew six weeks before that the revolt would break out, or did he say that he *apprehended* it?—He said he *knew* of it; that was the word he used.

Did the prisoner make any, and what, allusion to newspapers from home?—No.

On your oath, did not the prisoner say, "*that as soon as he had read the papers,*" he knew that the revolt would take place, or words to that effect?—I don't recollect such words.

Have you been intimate with the prisoner?—No; I never saw him before that night, to the best of my knowledge.

Did the prisoner state how he knew six weeks before that the revolt would take place?—No.

Tenth Day, 23 October 1823.

Were John Aves and the two black men present and in hearing during all the conversation between yourself and the prisoner?—They were in the room all the time; it was a small room.

John Aves, duly sworn; deposed,

12th Evidence.

I am coachman to colonel Goodman; I remember the 18th August last past; I was on that night on plantation Le Resouvenir; I was in Mr. Smith's house; the prisoner, Mr. Chapman's groom, Bailey, the President's man, Cornelius, and Mr. Robertson's man were there. Conversation took place while I was there; I said to Mr. Smith, This is a terrible thing, the negroes rising in this manner; he said, This was a thing which has been expected these six weeks. I asked him what time this began, he told me he supposed about seven o'clock in the evening; that the negroes, some of them, rung the bell, and some blowed the shell, and that was the alarm. About 50 strong able men went round the manager's house, and demanded the arms of the house; they did not wish to harm the manager, but wanted the arms out of the manager's house, and they got six muskets out of his house. He said the two overseers came over to him for protection; I asked him what the negroes wanted, he said, they wanted their Saturday and Sunday; he said there was an order sent out from Government that all whips were to be laid down, no whips to go in the field; the whips were to be hung up in the manager's house; and if they did any thing, complaint was to be made to the manager, and he was to punish them, if he saw fit; instead of that the manager on that estate gave the driver cats with the whip, and he said he would use them while he was able; he had papers in his house to that effect.

(*Questions by the prisoner.*)—Who held the conversation with Mr. Smith?—Sometimes I asked a question, sometimes Mr. Bailey, who drew a chair next to him, and I walked about.

Did you hear all the conversation between Mr. Smith and Bailey on that evening?—No, I did not.

When you first went in, and the conversation about the revolt commenced, were you present and in hearing?—I was.

Was Bailey present, and in hearing of all the conversation that passed between you and Mr. Smith?—He was in the room, and must have been within hearing.

Was Bailey present, or in hearing, when Mr. Smith told you, "this is a thing that has been expected these six weeks"?—Yes, he was in the room with me.

Did you, during that evening, hear Mr. Smith say that he had *known* of the revolt for six weeks?—No, I do not recollect any such words.

In what tone of voice did Mr. Smith speak on that evening?—He spoke in a very low manner; I never heard him speak before or since.

Could he be heard all over the room in which you and he and Bailey were talking?—I don't think so; he spoke in a very low manner.

Had you and Bailey afterwards any conversation relative to what passed on that evening at Mr. Smith's?—Bailey said he thought he, Mr. Smith, was a very curious sort of a gentleman; he said he asked Mr. Smith if he was not afraid to stop there by himself; Bailey said he told him they did not trouble such people as him; I made answer, that I supposed him to be some methodist parson, or some such thing as that.

Did Bailey tell you that Mr. Smith had said "he, Mr. Smith, had known of the revolt six weeks before"?—Bailey told me so.

Had you and Bailey any difference of opinion as to whether Mr. Smith had said he knew of the revolt, or had said it was a thing to be expected?—No.

When was it that Bailey first told you that Mr. Smith had said he knew of the revolt six weeks before?—I think it was the next morning, but am not positive.

[The Court was adjourned until ten o'clock the next day.

Eleventh day, Friday 24th October.

THE Court met this day pursuant to adjournment.

Eleventh Day, 24 October 1823.

Thomas Robson, duly sworn; deposed;

13th Evidence.

I am a medical practitioner, I reside in Cumingsburg, George Town; I know the residence of his excellency the Governor, and his honour the President, the quarters of lieutenant-colonel Leahy and the garrison; the road from the east coast into town goes near all these places; a person coming from the east coast into town must pass near colonel Leahy's quarters, and near the others, unless he comes on foot. I remember the 18th of August last. I saw the prisoner on that day, at my house, between the hours of seven and eight in the morning; I presume he came to my door in a chaise, as his chaise was at my door all the time; he came to consult me professionally.

Jacky Reed, negro, of Dochfour, understands the nature of an oath,
duly sworn; deposed;

14th Evidence.

I belong to plantation Dochfour; I attend Bethel Chapel; I am a member of that chapel; my master never prevented the negroes attending that chapel; I never knew any of the negroes of that estate punished for going to chapel, or ill treated by the manager; there were meetings on that estate; my master allowed us to keep prayer meetings on that estate; he said I might keep prayer meetings at any time, provided I did not allow strangers to

Eleventh Day, 24 October 1823.

come there, neither myself to go abroad; I have mentioned this to the prisoner, Mr. Smith; he said, it was very well, but it was no harm to go abroad, or to teach strangers on the estate. I was sent to Orange Nassau by Mr. Smith, he said there were a good many Christians there, and they had staid away from chapel; he told me to go, but not to take any book with me, or catechism, and not to go in the face of the manager; to walk in any way so as the manager should not see me to ask any questions. He said when I go, I must call for the teacher, and let him first offer up prayer, and sing a hymn, and then I must read a chapter to the people, any chapter that I think relates to the purpose, and to ask the people why they do not attend the chapel; I did accordingly. A man named Quamina, belonging to Nooten Zuyl went with me, he was not a member of the chapel, but he attended the chapel. I know Quamina, of Success, he was a carpenter on the estate; I know his son Jack, he was a cooper; I received one letter from Jack the Sunday night before the rising of the negroes; I have not that letter, I sent it by Guildford to Mr. Smith, the prisoner; Guildford belongs to Dochfour; I sent it with a letter from myself; I sent it on Monday about half past two o'clock; I sent it, because I did not approve of the contents of Jack's letter; I sent it to the prisoner, because the letter of Jack Gladstone was written by the members of Bethel chapel. I received an answer to my letter from the prisoner, the same Monday night about half past nine o'clock; I have not that answer, I gave it to my master; when Guildford gave it to me, I was on guard, and I took it just as it was to my master; I did not read it; the letter produced is like it; Guildford brought back the answer.

John G. Read, duly sworn; deposed;

15th Evidence. I am a resident of this colony; I reside at Dochfour, on the east coast; there is a negro on that estate named Jacky; I remember the 18th of August last; I saw Jacky on the night of that day; he gave me a paper, the paper produced marked N° 7, is the one he gave me; I am an aid-de-camp to his Excellency the commander in chief and lieutenant governor, and in that capacity I was sent to the prisoner on Thursday or Friday, about the first week's sitting of the court-martial, to ask him for a letter which had been written and sent on the Monday of the insurrection by Jacky Reed to the prisoner, which letter enclosed a letter from Jack Gladstone to Jacky Reed; Jack Gladstone belongs to Success, he is the son of Quamina; the prisoner acknowledged that the letter had been brought to him by a negro Guildford, belonging to Dochfour, but told me he had destroyed it after reading it; he further acknowledged that he had returned a written answer to Jacky Reed, by the negro Guildford. I told him that his answer had been placed in my hands on the evening it was written, and that I had then a copy of it about me; he begged me to favour him with a sight of it; I did so; he read it attentively, and returned it, saying, that he believed it was a verbatim copy of that he had written. I said to the prisoner, "I am afraid you have been preaching very improper doctrine to the negroes, as it appears that the principal members of your chapel have been leaders in this insurrection;" to this, he replied, "when I have been preaching, I have sometimes wished to illustrate what I was saying by reference to the situation of a manager or overseer on an estate, and when I have finished my discourse, I have asked some of the most intelligent of my hearers to explain what I have been saying, and they have told me that I have been abusing the manager and overseer." The prisoner then observed, that this was not the first insurrection that had taken place in the colony; I said it was an insurrection of a peculiar nature; he then remarked that much blood had been shed at different periods in religious wars, or on account of religion. At the time of this conversation, Mr. Smith, the prisoner, was in the room of the colony-house, where he was confined.

I can swear that the paper produced by me to the prisoner, was an exact copy of that now produced.

(*Cross-examined by the prisoner.*)—Did I not tell you what you have related, concerning my illustrating my remarks when preaching, by reference to the situation of managers or overseers, and my afterwards asking the negroes about what I had said, and that they told me that I was abusing the manager, as an instance of aptness of negroes to misunderstand all that was said to them?—It did appear to me that the prisoner wished to impress on my mind that if the negroes had acted rebelliously they must have misunderstood his doctrine.

(*Questions by the court.*)—What distance is Dochfour from Le Resouvenir?—I think about 15 miles.

At what hour did Jacky give you that letter?—It must have been somewhere between the hours of eight and nine, I think.

Alexander Stevenson duly sworn; deposed;

16th Evidence. I reside in George Town, and am a printer; I know the prisoner; I should know his hand-writing were I to see it; it is my belief that the paper produced is his hand-writing; I have seen him write, and I have received letters from him. [The paper produced and read.] (marked No. 7.) *viz.* "To Jacky Reed. I am ignorant of the affair you allude to, and your note is too late for me to make any inquiry. I learnt yesterday that *some* scheme was in agitation, but without asking questions on the subject, I begged them to be quiet, and I trust they will; hasty, violent, or concerted measures, are quite contrary to the religion we profess and I hope you will have nothing to do with them. Your's for Christ's sake, J. S."

Jacky Reed, of Dochfour, re-called ·

Eleventh Day, 24 October 1823.

I recollect the contents of the letter I received from Jack Gladstone which I sent to the parson; *viz.* "My dear Brother Jacky, I hope you are well, and I write to you concerning our agreement last Sunday, I hope you will do according to your promise; this letter is written by Jack Gladstone, and the rest of the brethren of Bethel chapel, and all the rest of the brothers are ready, and put their trust in you, and we hope that you will be ready also; we hope there will be no disappointment, either one way or the other; we shall begin to-morrow night, at the Thomas, about seven o'clock."

There was no name at the bottom. I will tell you as near as I can recollect, the contents of the letter I wrote to the prisoner; I said, "Dear Sir, excuse the liberty I take in writing to you; I hope this letter may find yourself and Mrs. Smith well. Jack Gladstone has sent me a letter, which appears as if I had made an agreement upon some actions, which I never did; neither did I promise him any thing, and I hope that you will see to it, and inquire of members, whatever it is they may have in view, which I am ignorant of, and to inquire after it, and know what it is. The time is determined on for seven o'clock to night." My name was at the bottom of it. I gave my master a copy of it from memory.

(*Questions by the court.*)—Was Quamina of Nooten Zuyl sent to Orange Nassau with you by desire of Mr. Smith?—No; he was sent by Quamina, of Success: I was sent by Mr. Smith.

Where is Quamina, of Nooten Zuyl?—I believe he is executed.

Did the prisoner ever mark down any particular chapter in the Bible for you to read?—He has; I cannot remember them now, but he has marked several chapters for me.

What chapters did you read when you went to Orange Nassau?—I cannot rightly recollect now; but I believe it was the sixth chapter of Epistle to the Romans, and the 136 hymn was sung.

Guildford, negro, of Dochfour, understands the nature of an oath,
duly sworn; deposed;

17th Evidence.

I belong to Dochfour; I recollect the Monday when the rising took place, Jacky Reed, of Dochfour, gave me a note on that day about half past two o'clock, to carry to Mr. Smith, the prisoner; I did carry it; I reached Mr. Smith's house a little before six o'clock; I gave the letter to Mr. Smith, he gave me an answer; I left his house with the answer about six o'clock, the sun was just down, I gave the answer to Jacky; when I got there I don't know what o'clock it was, but they had not gone to bed; Jacky was on guard when I gave him the answer at our estate Dochfour; I did not see Jacky read it.

(*Question by the Court.*)—Had the negroes risen on plantation Le Resouvenir when you arrived at Mr. Smith's house?—No.

Mitchell, a negro of Le Resouvenir, says he understands the nature of an oath;
duly sworn; deposed;

18th Evidence.

I belong to Le Resouvenir, and am horse-minder; I was on Le Resouvenir on Monday night when the negroes rose; the negroes on that estate rose also. After they had taken the guns from the manager's house, they went away to the road. I saw Quamina, of Success, come on the estate the next morning (on Tuesday morning); I saw him pass along through the yard to Mr. Smith's; I was in the horse-stable of the manager, Mr. Hamilton, at that time: I was alone when I saw Quamina; when Doos, a house-boy, came from the water side, where he had been carrying breakfast for Mr. Hamilton, I told him so; the prisoner is the Mr. Smith I mean: I have known Quamina, of Success, a long time; from the time Mr. Vander Haas was on the estate.

(*Cross-examined by the Prisoner.*)—What time on the Tuesday morning was it that you saw Quamina?—Shortly after sunrise; the sun was not high.

What yard was it that Quamina passed along?—He came from the Company path towards the Success side, through some cabbage-trees, by a small path to Mr. Smith's yard; I saw him come into the yard, but did not see him go out.

Doos, negro, understands the nature of an oath; duly sworn; deponed;

19th Evidence.

I belong to Le Resouvenir; I was on the estate the night the revolt began; the negroes attacked the manager, Mr. Hamilton's, house; they came in the house; at the time that Mr. Hamilton surrendered his arms to the negroes, Mr. Smith was walking in the middle path; this was a little after six o'clock; the sun was down; the prisoner came down from his house with Mrs. Smith, and stood before Mr. Hamilton's door; they had been walking before, and did not come direct from their house to Mr. Hamilton's.

The prisoner spoke to Mr. Hamilton at that time; I don't know what he said, as I was not near enough; the prisoner and his wife went away together. I was on the estate the next morning; none of the men were about the yard of the estate. I know the groom; his name is Mitchell; he was in the horse-stable. Mr. Hamilton was in the front house at the water side on that morning. I went to him there; I carried his breakfast to him. I did not see Quamina, of Success, that morning: I saw Mitchell when I returned from carrying the breakfast; he told me he saw Quamina come to Mr. Smith's: the distance between the manager's horse-stable and the prisoner's house is about the same as from here to St. Andrew's church.

Eleventh Day, 24 October 1823.

(*Cross-examined by the prisoner.*)—Did you see negroes pushing Mr. Smith away from the manager's house?—No.

Antje, mulatto woman, understands the nature of an oath; duly sworn; deposed;

20th Evidence.

I belong to Le Resouvenir; I was on that estate the Tuesday after the Monday the revolt broke out; I know the prisoner and his wife; I saw Mrs. Smith on that day at her house between twelve and two o'clock in the day; she sent for me; she asked me what was the matter, people were doing so, I said I don't know ma'am, the people wish to get their liberty; Mrs. Smith said, the people did not behave well; the black people could not fight against whites; she said she had been afraid the whole night, and had not slept, I answered, I was so afraid too that I did not know where to go, either to the great house or the negro-house; Mrs. Smith said, don't be afraid, they won't hurt you; then she went to lie down, and told me she wished to see Quamina or Bristol very much; I didn't know any thing about it, but I then got a boy to 'send a-back to bring him Quamina, to the lady; Andrew, of Le Resouvenir, was the boy I got to go a-back for Quamina; I told him same day; I saw Andrew again the next day; in the night he came and called me, and told me that Quamina had come, I was at that time at my house; I went out and saw Quamina, I told him good night, and Quamina said I must go and see if any one was in Mr. Smith's house; Jenny Grant was in my house at that time, and when I went out she went with me; Jenny Grant is a free woman, and lives in town; I went over to Mr. Smith's house and saw a lady there, Miss Kitty Stuart, a cob woman. I went into Mr. Smith's house and told Mrs. Smith that Quamina had come, then I took the lady, Miss Kitty Stuart, to my house; I only saw Mr. Smith in the house, besides Mrs. Smith and Miss Kitty Stuart; I only said to him good night, as I passed; Mr. Smith was sitting on a sofa in the hall, Mrs. Smith was in the front gallery; Miss Kitty Stuart did not appear willing to go with me at first; Mrs. Smith told me that I must take her over to my house, and she would not come; I said come along with me so before you sit alone so. Mrs. Smith said she would not go to bed; Mrs. Smith said, that if Miss Kitty Stuart would go over with me when she wanted to go to bed, she would send to call her; Mrs. Smith bid her go with me, she then went with me to my house, then I went to seek Quamina, but did not meet with him; I saw Quamina after that go before me into Mr. Smith's house; Mrs. Smith stood at the door, and as Quamina went in, she shut the door; I went back then to my house.

(*Questions by the court.*)—Was Mr. Smith there when Mrs. Smith was talking to Miss Kitty about going to your house?—He was there, but he couldn't hear, because we were speaking secret.

Was the door Mrs. Smith shut, the door of the room in which you saw Mr. Smith sitting on the sopha?—He went in at the back door, near the kitchen.

Did the door he went in at lead to the hall?—You go through that door to go to the hall; there is another door to the hall.

What time of night was it when Andrew called you, and told you that Quamina was come?—It was about eight o'clock; but I am not very sure.

Could Mr. Smith have heard you telling Mrs. Smith that Quamina had arrived?—No; Mr. Smith did not hear.

Andrew, a negro, understands the nature of an oath; duly sworn; deposed;

21st Evidence.

"I belong to plantation Le Resouvenir. I know Antje, who lives on the same estate; I know Quamina, of Success. Antje gave me a message on Tuesday morning, after the war began, to Quamina; the message was to tell Quamina that Mr. Smith want to see him, and was to tell him 'morrow. I did not see Quamina on Tuesday; I saw him on Wednesday, and gave him the message on Wednesday morning, about eight o'clock. Quamina told me, "Yes;" and he came down on Wednesday night, about eight o'clock. I was standing in our coffee-piece when he came, and I saw him; he came from Success ground, and spoke to me. He bid me good night, and asked if I brought the message to him; I told him, yes. The coffee-piece is at the back of the negro-houses, a small distance a-back from them. Quamina then went to Le Resouvenir's building; I followed him, and he told me I must go and call Antje, and I did. I went to my house after that, and I saw Quamina again that same night; I saw him at the last negro-houses a-back; he was coming from the front to go to the back, with a bottle in his hand. I went back with him. When we reached our negro-houses, I stayed there, and he went away. While Quamina and I were walking together, I carried the bottle; it was full: he told me it was porter. Quamina stayed a good full hour before he came back with the bottle. None of the negroes of that estate have porter. When I came down with Quamina, and went back with him, Cupido, of Le Resouvenir, was with us. When Quamina went away, he went straight towards Success. Quamina did not tell me where he got the porter; he took it with him when he went away. [The Court adjourned till ten o'clock to-morrow morning.

Twelfth day, Saturday, 25th October.

Twelfth Day, 25 October 1823.

THE Court met this day, pursuant to adjournment.

Cupido, negro, understands the nature of an oath; duly sworn; deposed;

22d Evidence.

I belong to Le Resouvenir; I was on that estate on Wednesday night, after the Monday when the war broke out. I know Quamina, of Success; I saw him that night. I and Quamina,

Twelfth Day, 25 October 1823.

Quamina, with Andrew, came from the back dam; we came as far as the negro-houses of Le Resouvenir. Andrew went to call Miss Antje, to tell her that Quamina had come; Quamina went away with Miss Antje. I sat down at the door-mouth of Romeo. I saw Quamina afterwards that same night; he came back in about half an hour: he had a bottle in his hand; he had not that bottle in his hand when he first came: I cannot say where he came from with the bottle. Myself and Andrew went a-back of Le Resouvenir, and Quamina went on to the back of Success. Andrew carried the bottle a-back, when Quamina went away, he took the bottle from Andrew, and took it away with him. We came from the back dam about seven o'clock; it was moonshine.

Jenny Grant, black, understands the nature of an oath, duly sworn; deposed,

23d Evidence.

I live in town. I was on plantation Le Resouvenir on Wednesday night after the Monday the revolt broke out. I know Andrew of that estate. I saw him that night come to Miss Antje. I was sitting down at Antje's door. I saw Andrew come into Miss Antje's house, and then saw them both go out. I followed them, and peeped to see where they were going to. I saw them going and take a turn, and looking farther I saw Quamina of Success on the dam; as I peeped in his face he wished me good night, and then I spoke to him. He said nothing more to me; I did not remain with Quamina after that, I retreated back again to where I was sitting before. I have known Quamina a long time; more than two or three years. I did not know at that time that Quamina had any thing to do with the revolt; I had just come up from town to sell things.

Elizabeth, a negroe girl, understands the nature of an oath, duly sworn; deposed;

24th Evidence.

I belong to Plantation Industry; I have been living lately with Mrs. Smith, the parson's wife; the prisoner is the Mr. Smith I mean. I remember the night the negroes began to make war; I was in the prisoner's house that night; I saw a man come there with a letter that night; I believe he came from Dochfour, it was after dinner when he came; Mr. Smith dines about four o'clock; the sun was almost down; it was high a little bit. The man who brought the letter sat down a little time on the steps; when the boy went away the prisoner went to walk a little bit in the middle path; only Mrs. Smith was with him. The negroes rose on that night on that estate; it was about seven o'clock when the rising began; I was there on the Tuesday and Wedneday; I know Quamina, of Success; I saw Quamina in the parson's house on Wednesday night, inside of the hall I saw him; Mr. and Mrs. Smith were in the room with him · Mr. Smith was sitting in a chair close to a table; Quamina stood a little near him; only those three were there at that same time; Mrs. Smith remained in the room all the time that Quamina was there; I did not see Mrs. Smith go to the front door; I heard Quamina and Mr. Smith talk together; Quamina staid there longer than I have been here; I saw him go out; after Quamina went away, I saw Mrs. Smith, she told me I must not tell any body that uncle Quamina had been in the house, and that if I did tell any body she would lick me; during this revolt I did not see any of the negroes come to trouble the parson's house, or any thing belonging to him.

(*Questions by the court.*)—Has the prisoner a boy servant?—Yes.

Was Mr. Smith's horse in the stable when the man brought the note on Monday night? —Yes, the horse was in the stable.

Do you know the way to Dr. Mc Turk's, at Felicity?—Yes; I do.

Did you see the prisoner or his wife give any thing to Quamina, and what was it? — I did not.

You say you saw Quamina go out, did you see any thing in his hand at that time?—He had a bundle on a stick behind his back; I did not see any thing else in his hand.

Kitty Cumming, black, understands the nature of an oath, duly sworn; deposed,

25th Evidence.

I live at Success, with Mr. Stuart; I was at Success at the time the revolt broke out; I did not remain there; on the Wednesday evening I went over to Le Resouvenir, because the people of Success were all moving a-back, and I was afraid to remain there alone. I saw the prisoner that night when I went to Le Resouvenir; he was in his house, I was there too; when I first went there I asked them to let me lodge there, they said I was welcome, and I might stop there; and while I was sitting down at the door, Antje came to me and said "Miss Kitty, you are lonesome here, you had better come over and stop with me, till Mrs. Smith go to bed, and then she will send and call you."

I was not at all wishful of going with her at first, then Mrs. Smith said, "go over with Antje, and when I am ready to go to bed I will send and call you," and I went with her; I stopt away about an hour and a half; in that time Mrs. Smith sent to call me, and I went back. At the time I left Success, the negroes were all in confusion, going away, taking their things a-back.

Thomas Nurse, Lieutenant 1st Battalion Demerara Militia, duly sworn; deposed;

26th Evidence.

I was on duty at Felicity on the Thursday after the revolt broke out; captain McTurk was the officer commanding, he gave me orders that day to call on Mr. Smith, the prisoner, and require his immediate attendance at Felicity, because the reports he continued to receive, respecting the strength and intentions of the insurgent negroes in the neighbourhood, were of so alarming a nature as to call for the assistance of every white and free

Twelfth Day, 25 October 1823.

coloured person in the district to bring them back to their allegiance, and restore tranquillity to the country. I was also desired to state to the prisoner, that if he had no arms of his own, he should be supplied with them at the post at Felicity; and that the duty he should be required to perform would be made as easy for him and comfortable as circumstances would allow; and with respect to his lady, she could, if she pleased, accompany him to Felicity, where a comfortable apartment would be provided for her accommodation, and every respect and civility shown her, or if she wished to be removed to George Town, or to any house or estate on the east coast, an escort of troops would be appointed to conduct her there in safety. I delivered these orders to the prisoner in person at his residence, at plantation Le Resouvenir; his reply was, that he would not obey the orders of Captain M^cTurk; that he had no authority to issue such an order, and if he had he would not obey it, as his clerical character and vocations exempted him from militia-duty; he concluded by saying that he was much obliged to Captain M^cTurk for his kind promises of civility to his lady and himself, but he should not avail himself of it; that their circle of acquaintance was small, and he had no wish that his lady should be removed from Le Resouvenir, or to quit it himself, for that notwithstanding the disturbed state of the country, and of that estate in particular, on which there were no other whites than Mrs. Smith and himself, he considered that he was as safe there as he would be in George Town, or in any other house or estate in the colony. I repeated my orders, and finding that he persisted in disobeying them, I inquired of him whether he knew that martial law had been proclaimed by the Governor, he replied that he did; I then asked him if he had seen the proclamation, he replied that he had. I begged to know if he had it at that time, he answered in the affirmative, and I asked him to show it to me, he said he would, and quitted the room, went up stairs, and returned with the proclamation, which I read to him. I reasoned with him on the impropriety of his conduct in refusing to obey Captain M^cTurk's order; when he saw the law was now absolute, and admitted of no distinction, as appeared by the proclamation of the commander in chief, he persisted in his refusal to obey, and told me that for his part he did not know what martial law meant; that after he had read the general's proclamation he had referred to his encyclopedia for a definition of the term, martial law, and when he read the explanation given of it in that work, he was just as wise as when he had finished the perusal of the general's proclamation.

I again warned him of the consequences of his conduct, and requested that he would allow me to explain what martial law was, and perhaps he would understand better from me than he had done from his encyclopedia, he said he had no objection to hear my definition of it; and when I had explained to him the positive and absolute nature of the law, and that it was his duty to comply with the orders of Captain M^cTurk, or of any other officer employed by the commander in chief, and that his clerical vocation did not exempt him, the inhabitants of the colony being called upon without distinction, to take up arms, he answered "I differ, Sir, from you in opinion; and I do not intend to join any militia corps or company, or do any duty with them." Captain M^cTurk gave me orders, in the event of his refusal to join the post at Felicity, not to enforce that order by personal violence or arrest, but to ask the prisoner for his papers and manuscripts, for the purpose of being sealed up, and if he refused to comply with that order, I must resort to force to carry it into execution; the prisoner agreed that I should seal his papers up, observing that he had nothing to fear from a fair and impartial examination of them; his manner during the conversation was very supercilious and offensive. I had a serjeant and 12 men with me at this time. I sealed up the papers. On sealing up his papers he made several observations on captain M^cTurk's and my conduct in doing it; telling me we did it at our peril. He asked permission to retain several manuscripts, among which were several sheets sewed together, which he called his class-books; these, he observed, could be of very little consequence, he supposed, to us, as they contained private memorandums as to the names of those negroes who had attended his chapel and contributed to its support, their periodical contributions being set opposite their respective names. I said, I supposed he could feel no reluctance in giving up these documents for examination, as, on inquiry I had no doubt those negroes, who possessed the advantage of regular attendance at his chapel would be found so much improved and benefited by his religious instruction, as to have taken no part in the revolt; he smiled, and answered, that I would be mistaken, as he knew that would not be the case: he was also reluctant to give up the letter he stated he had received a short time previous, and had not yet replied to; I insisted on taking every thing in manuscript, and after some further hesitation, he gave me up the letter in question, observing, that it was from his friend and brother missionary in Berbice, and that it contained pleasing information as to the manner in which the inhabitants of that colony had met the views of Government and the people of England, for ameliorating and improving the condition of the slaves, and by allowing them part or the whole of Saturday (I do not recollect which); that if the people of this colony acted with the same generous and liberal feeling, the revolt would never have taken place. I proceeded to collect his papers, and put them into a desk or drawer, which I sealed up; and having cautioned him against the violation of these seals, I reported my proceedings to captain M^cTurk; he then ordered me to go to plantation Brothers in search of captain Simpson, to tell him that the prisoner refused to obey his orders; captain M^cTurk also directed me to request captain Simpson to come up to Felicity with his corps, as it would be necessary to arrest the prisoner and send him to head quarters. I returned to the prisoner's house, in company with captain Simpson; he, the prisoner, was then arrested, and, with his papers, given in charge to captain Simpson and his corps.

Twelfth Day, 25 October 1823.

(*Cross-examined by the prisoner*).—Did I not tell you that I was willing to give my services in any way, except that of taking arms?—No.

(*Question by the Court.*)—Is the paper exhibited, to you, N° 8, a copy of the proclamation you read to the prisoner?—It is.

Certified copies of the charges and sentences, with the approval thereof, in the following trials, were laid over to the Court by the Assistant Judge Advocate.

Telemachus,	of Bachelor's Adventure	A.
Sandy	of Non Pareil	B.
Paul	of Friendship	C.
Quamina	of Nooten Zuyl	D.
Jack	of Success	E.

The prosecution closed, and the prisoner being asked what time he required to prepare his Defence, stated four days would be necessary for that purpose; the Court therefore adjourned till Friday next at ten o'clock.

Thirteenth day, Friday, 31st October.

Thirteenth Day, 31 October 1823.

THE Court met pursuant to adjournment, and the prisoner being called on for his defence, stated, that in consequence of the indisposition of himself and his counsel, he had not been able to complete his statement, which at present embraced only the three first charges, and that so far only he was prepared to go.

The Court observed it would be very irregular to enter upon his defence if he were not prepared to go through with it at once, and desired to know what further time would be necessary to complete it, the prisoner stated, that at ten o'clock to-morrow morning he should be quite prepared.

The Court therefore adjourned till that time.

Fourteenth day, Saturday, 1st November.

Fourteenth Day, 1 November 1823.

THE Court met pursuant to adjournment, and the Prisoner read his statement in Defence as follows:

May it please the Court:

Mr. President, and Gentlemen,

Before I enter upon the immediate defence of my conduct from the charges which have been preferred against me, I beg leave to call the attention of the Court to a few preliminary observations. The Court is well aware that by profession I am a minister of the Gospel, ordained and sanctioned by the Missionary Society; a most respectable body of men, well known to and sanctioned by the Government at home, whose sole object is of a religious nature, the conversion of the heathen and other unenlightened nations to the Christian faith. With the civil or political state of those countries where its missionaries labour, it has nothing to do. Under the patronage of this society I chose to engage in the difficult and self-denying work of instructing the benighted natives in the principles of our holy religion. With this avowed intention I arrived here in February 1817; and having obtained permission of his Excellency the Governor to preach to and catechise the slaves, I commenced my labours with a full determination to keep to the letter of my instructions from the Society, in having nothing to do with the temporal condition of those who might be placed under my ministerial care. To this determination I uniformly adhered. So much was I impressed with the necessity of acting up to this resolution, that soon after my arrival I requested permission to remove the chapel to the side of the public road, that I might be farther from the negroes, and know less of what was transacted on the estate. The object of my mission, like that of my predecessor, was very differently regarded by the planters: some of them, from the time of my arrival, and long before, were strongly prejudiced against the instruction of the negroes, and have uniformly opposed it; but with others this was not the case. They allowed their people to attend the chapel, and observed, and from time to time commended, their general behaviour, and have repeatedly given proof of their approbation of the mission, not only by words, but also by deeds, by contributing to the Missionary Society.

The manner in which I have pursued the object of my mission deserves some notice. Having learned what kind of services had been performed by Mr. Wray, my predecessor, I endeavoured to adopt and follow his plan.

There were five services in the week in the chapel; three on the Sunday, one on Tuesday, and another on Friday: the negroes belonging to the estate were catechised on other evenings, in the school-room attached to the house.

After about twelve months I discontinued the Sunday evenings service; all the others were regularly continued till the end of last year, when I gave up one of the week-day evening services. Since then we have had three public services in the week, and a catechetical meeting, or school, on one evening in the week. A great part of the interval between the morning and the noon services on the sabbath was occupied in catechising the negroes in the chapel. This department was superintended chiefly by Mrs. Smith. White persons were often present. I was generally engaged at the same time in the school-room, catechising candidates for baptism.

Fourteenth Day, 1 November, 1823.

All these services were of a public nature; we had no private meetings; the plantation bell was rung to call the people: the doors were always open, and the place accessible to all. The constitution of the church was formed by Mr. Wray, and was what is usually called congregational. There were four deacons, their duties were to assist in the administration of the Lord's Supper, by handing the bread and wine to the members, to keep order in the congregation, to make inquiry into the moral conduct of such as applied for baptism, or admission into the church, and to collect the money spoken of in the evidence for the prosecution. They were not teachers by virtue of their office, nor did they, as such, even teach any one to my knowledge. Seaton was indeed the teacher at Success, but he was that long previous to his acting as deacon. In point of authority, they were in no respect superior to any other member.

As to the teachers, they were wholly unconnected with the church. The people themselves chose them on their respective estates, without my interference.

Their chief qualifications was a knowledge of the catechism.

I would now submit to the court a few observations respecting the journal, from which some extracts were read by the judge advocate. The Missionary Society wished me to keep a journal. On my arrival I commenced one, but soon found that there was too little variety in my labours, to render it a matter of consideration to the Society; yet I continued it merely for my own private use, as must be pretty evident, from the careless and irregular manner in which it has been kept, and from the nature of several of the notes and reflections therein contained; one or two extracts only have been given to the Society, which merely referred to the moral or spiritual state of the congregation.

No other part of the journal was ever read by or to any one besides myself, till it was taken from me. The contents of it were unknown, even to Mrs. Smith, and the greater part I myself had forgotten.

The notes in my journal relate chiefly to my ministerial labours among the congregation over which I was placed. Facts, and what were reported to me as such, are briefly stated, and such reflections sometimes subjoined as naturally arose out of them, Some parts refer to conversations with negroes, and are brought forward by the judge advocate to prove that I have interfered with their treatment.

As to conversations with negroes, the Christians in particular, from the very nature of my office, it was both natural and necessary that I should converse with them to a certain extent. No missionary or other minister of the Gospel can properly discharge his sacred functions without having some other intercourse with his people besides that of public teaching. He has to watch for the souls of every individual of his charge, see Ezek. c. 33. v. 7 & 8. He is commanded to be instant in season and out of season. If any of his flock go astray it is his duty to seek after them; he must know the cause of their declensions in religion ere he can rebuke and exhort them; and as I could not have access to them on the plantations, though enjoined by the instructions of the Society, which his Excellency has seen and read, to visit them in their houses, it was necessary that I should either make inquiry of others concerning such, or send for them to come themselves with another member. The latter mode I always preferred, when practicable. In all such conversations, I have abstained from making any remarks respecting their masters; and have uniformly exhorted them to a dutiful submission, as some of the witnesses for the prosecution have proved, and multitudes of the congregation can testify.

This brings me to the charges which are exhibited against me; they are four. The first is,—That long previous to, and up to, the time of a certain revolt and rebellion which broke out in this colony on or about the 18th of August last past, I did promote, as far as in me lay, discontent and dissatisfaction in the minds of the negroe slaves towards their lawful masters, managers and overseers, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to my allegiance, and against the peace of our Sovereign Lord the King, his crown and dignity. The second is, " That I having about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro, named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he the said John Smith did further aid and assist in such rebellion, by advising, consulting and corresponding, touching the same, with the said negro Quamina, to wit, on the 19th and 20th August last past, I then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein."

The Third is, " That on the 17th of August last past, and for a certain period of time thereto preceding, I having come to the knowledge of a certain revolt and rebellion intended to take place within this colony, did not make known the same to the proper authorities; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past."

Fourthly, " That I, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th August last past, was at plantation Le Resouvenir, in presence of and held communication with Quamina, a negro of plantation Success, I then well knowing the said Quamina to be an insurgent engaged therein, and that I did not use my utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina as a prisoner, or by giving information

Fourteenth Day,
1 November 1823.

information to the proper authorities, or otherwise; but on the contrary, permitted the said insurgent Quamina to go at large and depart without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law, issued by his Excellency the Lieutenant Governor."

The prosecutor in his address to the court enlarged upon these charges, and endeavoured to impress upon the court a belief that my conduct had been more guilty, my offences greater and more heinous than even these charges represent them to be. I am aware, at least I trust so, that the prosecutor is bound to adhere strictly to the charges, of which a copy has been regularly served upon me, and with this trust I should have rested satisfied, had not the prosecutor endeavoured to prove his own version of the charges, thereby attempting to draw down upon my character infamy and opprobrium, as it is, he has completely failed to make good his assertions, and I shall therefore but briefly notice them in the course of my defence.

I shall now take the Charges in the order they stand.

To make good the first, the prosecutor has endeavoured to prove—

1st. That I have an aversion to slavery.
2d. That I have endeavoured to mislead the negroes, by misinterpreting and perverting the scriptures.
3d. That I have taken money and presents from the negroes.
4th. That I have sold them books.
5th. That I have interfered with their treatment.
6th. That I have taught them to disobey their masters.
7th. That I have taught them that it was sinful to work or go to market on the sabbath day.

And first.—That I have an aversion to slavery:

That I have an aversion to slavery I cannot deny; for if it be a crime to cherish such an aversion, then I have as my associates in guilt the most liberal and best part of mankind. After the recent recognition by the House of Commons and the British government, of the proposition, that "slavery is repugnant to Christianity," it cannot be necessary for me, a minister of the gospel, to enter into any justification of my sentiments on this subject.

Secondly.—That I have endeavoured to mislead the negroes, by misinterpreting and perverting the scriptures:

To prove this, my journal, that journal which has been dragged forth from the privacy in which it was buried, has been produced, and several passages read from it. Witnesses have been called, and what have they all proved? the very opposite thing to that desired by my prosecutors. It has been objected to me that I expounded those parts of the sacred scriptures which allude to the condition of slaves

Here it must be remembered, that it is a minister's duty to feed his people with knowledge and understanding. It was the boast of the apostle Paul, that "he had not shunned to declare *all* the counsel of God," Acts, c. xx. v. 27. Didactic discourses alone are not sufficient to enlarge the minds of the negro congregation. The biographical sketches and the historical incidents recorded in the Bible, are far better adapted to their capacities, as the striking examples of virtue and of vice powerfully impress the memory, and furnish reflections and motives to duty far more efficacious than mere abstract lessons.

With this view of the subject I commenced, about the middle of 1820, a regular course of historical reading and expositions, taking the Old Testament for the morning service and the New Testament for the evening. I began in the Old Testament with Genesis, and in the New Testament with the Gospel of St. Matthew. The Old Testament I read in order, with the omission of such chapters as appeared to me liable to be misinterpreted by the negroes. The passage which has been read from the journal, under date "8th August 1817," says, that I *omitted* to read or expound to the negroes a passage of scripture, (latter part Genesis xiii.) which I apprehended they might misconstrue. It contains a promise of the land of Canaan to Abraham's posterity. The journal adds the reason why I omitted the passage; viz. that I was fearful it might make a wrong impression on their minds, as I tell them some of the promises, &c. which were made to Abraham, &c. will apply to the Christian state. This proves that I was very cautious *not to apply to the negroes* those parts of scripture which relate to temporal possessions, and were peculiar to the patriarchs. That some of the promises and precepts made to them apply to the Christian state, is evident from the New Testament: compare Romans c. iv. v. 23, to the end. The Apostle, speaking of Abraham's faith being imputed to him for righteousness, says "now it was not written for his sake alone, that it was imputed to him, but for us also, &c."

Great stress has been laid on my reading of the deliverance of the Israelites from Egypt. Had that part of holy writ been omitted, the history of the church of God could not have been understood. The mercy the power and the providence of God are signally displayed in that part of sacred history, and cannot fail to impress with a sense of religious fear and trust even the stupid mind of a negro. For this reason, I suppose, the apostle Paul, in 1st Cor. c. x. v. 1, to 11, presses upon our particular attention this very portion of the scriptures: "Now all these things happened unto them for examples; and they are written for our admonition, upon whom the ends of the world are come." In reading the portions of scripture, partially related by the witnesses, care was always taken to guard against perversion or misapplication; such reflections only being made at the end of the chapter as were of a moral and religious nature. Even those witnesses for the prosecution, whose memories were so very tenacious on the subject of Moses and Pharaoh, and the children of Israel, though it is two years since I have read to them about these persons, have stated that they never heard me apply the history of the Israelites to the condition of the negroes. If they themselves read the Bible, and so applied it, the fault must be charged upon their ignorance, and shows the necessity of their having more instruction. It is to the ignorance of men that the apostle Peter imputes the perversion of the scriptures. In his second Epistle c. iii. v. 16, where speaking of Paul's Epistles, he says, "In which are some things hard to be understood, which they that are unlearned and unstable, wrest, as they do also the other scriptures, to their own destruction."

The deacons praying extempore at the morning service, is repeatedly brought forward in the evidence for the prosecution, whereby it appears that an attempt was made to show that I taught them, in an insidious and artful manner, to reflect upon their masters, and thereby to infuse into the negroes a spirit of dissatisfaction. Extempore prayer is practised, I believe, in every Christian church, except those of England and of Rome; and among most, if not all, classes of Protestant dissenters, the deacons and members pray at meetings of that nature. With us it was not the deacons only that prayed, but any of the male members whom I judged capable of so doing: they prayed aloud, and were taught by me to pray with their eyes shut; this was for the purpose of abstraction. But surely it proves that I could not have taught nor allowed them to introduce any thing offensive in their prayers; for whilst they were praying, with their eyes shut, any black, coloured, or white person might have entered the chapel, as the doors were always open during such prayer-meetings. Instead of the witnesses having proved that I perverted and misapplied the scriptures, let the evidence be examined, and it will clearly show that the prayers and doctrines I taught them were calculated to instruct them in nothing but what was good, moral and religious. One of them (Bristol) has given a specimen of the prayers used by them; and what is it? He said, he prayed to God "to bless and help them all, that they may be enabled to seek after him more and more, and that he would bless their masters, and the governor and fiscal; that they (the negroes) might make good servants unto them, and that they might make good masters unto them (the negroes,) to give them health and strength to do that which it might be their duty to do; to bless all their brothers and sisters." Bristol was then asked, "If the negroes ever prayed about their master's heart," he answered that they prayed that the "Lord might bless them, and change their hearts, and their masters hearts also." This is surely not wrong.

He was asked if these prayers were taught him. He answered, "No, he prayed of himself, out of his own heart."

The memories of the negroes appear to have been tenacious of that part of sacred history concerning the deliverance of the children of Israel. This cannot be imputed to me as a crime, for there is not a chapter upon this subject that I have read to them twice. I went regularly through, except in omitting from caution such chapters as I thought might be misunderstood. Emanuel was asked, "Was it told you why God so commanded Moses." He answered, "That was because God did not wish that they should be *made slaves*." I certainly did not tell the negroes this. I read the lessons from the small pulpit, as Azor proves, and my sermons were delivered from the upper pulpit; it was not likely that in a mixed congregation, assembled with open doors, I should expound doctrines in a manner objectionable to the community at large. I boldly put the question to this very witness Azor, "When the prisoner talked or explained to you about the children of Israel, did he tell you that the state or situation of the negroes was like to that of the children of Israel?" His answer was "No." Had I been conscious that this question could have been answered in any other way, would I have dared to put it?

Thirdly.—It is alleged that I took money and presents of the negroes: This, I suppose, is to show that by so doing I impoverished them, and hence made them dissatisfied with their condition. The evidence for the prosecution clearly proves, that whatever money was contributed was entirely voluntary on the part of the contributors. Once a month, after the sacrament, a collection was made amounting, as Bristol states, to from *f.* 30 to *f.* 35: I believe the average amount was about *f.* 30. With this money bread and wine for the communion, and candles for the use of the chapel were purchased. I presume no one will suppose that I was much the richer; for that Bristol further says, "Some that could afford it gave two bitts, some one bitt, and some nothing; but whether they gave or gave not, still they were welcome to partake." I never said a syllable to them about collecting it: they had I believe been in the habit of doing so from the time of Mr. Post.

It is further said, that I took money of the negroes for the Missionary Society. I did so. It was by the society's request, and with the knowledge of their masters, some of whom approved of it. On commencing this contribution, I explained from the pulpit the nature and object of the society, and the necessity of their being supplied with money to enable them to carry on their designs, and invited those who chose to become contributors; many gave me their names, some of whom paid their subscriptions regularly, while others scarcely ever paid at all. A collection was made about once a year in the chapel. The money was reckoned by the deacons, the sum put down by myself, and the year's amount remitted to the society, as is apparent by the society's publications and letters. These contributions were entirely voluntary. No negro was asked personally to subscribe, they did it cheerfully, on being appealed to from the pulpit. This is not only according to the usage of all churches, but agreeable to the scripture.

Concerning

Fourteenth Day, 1 November 1823

Concerning the fowls and yams which the negroes gave us, I can only say, it was very seldom they gave us one or the other. At the holidays, three or four of the people would bring each a fowl, or duck, or yam to Mrs. Smith, and in return for this, when they were sick, they would send to ask for wine—generally half a bottle was given, the quantity of wine thus given from time to time, I am pretty sure, more than overpaid every trifling present made by the negroes.

Fourthly.—My selling books to the negroes has been spoken of with disapprobation. The books were Bibles, Testaments, hymn books, spelling books, and catechisms. The Bibles and Testaments were from the Bible Society, they were sent with invoices of cost and charges, allowing me, however, a discretionary power in the disposal of them. When it appeared to me that the applicants could afford to pay the full value of the book, I charged a guilder for a shilling in the invoice, which, with the charges and difference of exchange, was about their value. When the applicants could not afford to pay the full price, they had the book for what they could afford; frequently for half-price. Testaments I sometimes gave away, but for the Bibles something I believe was always paid No one, to my recollection, ever said he could not afford to pay, either the whole or part of the price, though I frequently asked them when they applied. The other books I was obliged to pay for before they came from England, of course I could not afford to give those away, and charged for them the same, at the rate of a guilder to a shilling Of catechisms I have given away at least 1,000. Had I sold a thousand Bibles, and each of them at double the price I did sell them at, yet, I would ask, what would that have to do with the charges? The negroes purchased them voluntarily, and had I forced them to purchase, and discontent had arisen therefrom, surely the consequences of that discontent would have fallen upon myself and not upon their masters. In selling the Bibles I have done no more than follow the instructions of the Bible Society, and the practice of many clergymen of the Church of England, one of whom feared not to sell Bibles in this colony.

Fifthly —That I have interfered with the treatment of the negroes :—I have not interfered in any manner with the temporal concerns of the negroes, save in such cases as were intimately blended with their spiritual concerns, as for instance, in settling their disputes, rebuking the members for offensive language, taking two wives, and immoral conduct in general, and giving them such advice as I thought calculated to render them comfortable and happy.

This is what is meant by the passage read, " That a missionary must sometimes act the part of a civil magistrate " That this was proper and correct no one can deny, for the scripture enjoins it.

It is not, however, necessary to have recourse to subtleties or specious arguments to disprove that I have interfered in the treatment of the negroes, there has been no evidence adduced in support of this assertion of the prosecutor, nay, my own journal, under date 21st March 1819, ought to be sufficient evidence on my behalf " I wish the negroes would say nothing to me of their troubles, which arise from the severe usage of their managers, &c. as it is not my business to interfere in such concerns, and only obliges me to treat such conduct with apparent indifference, and behave with coolness to those who relate it." In corroboration, Bristol, one of the deacons, a constant attendant of the chapel, and continually present at the services, swears, " that some people complained of being licked for not doing the work on a sabbath; they might have complained to Mr Smith for something else, but I do not know it " The prisoner does not listen to the complaints of the negroes, only when they come to complain of what I have just spoken He said, if there was any such thing, (*i. e.* flogging the negroes for coming to chapel,) he, the negro, must go to the fiscal or governor Some of the planters have referred the quarrels of the negroes to me to be settled

Sixthly.—That I have taught them to disobey their masters

In support of this, Azor states, " That I called up all the members, and inquired where they had been; some said working half row, others said their managers gave them work, and that I thereupon remarked, that they were fools for working on a Sunday for the sake of a few lashes " This witness was asked, " Who was present?" and he was required to name some one of them He declared that he knew no one, but, upon being pressed, said, " A driver of Mr. Postlethwaite's estate " That this witness is not to be believed is evident from the fact of his declaring that he knew not the names of the members present, although he is one of the oldest members, and is as well, if not better, acquainted with every member of the chapel than myself. His reason of forgetfulness on this head is obvious, he knew he was telling an untruth, and that if he mentioned any individual by name, that individual would be called to disprove his statements Admit, however, that he has declared the truth, that his veracity is not to be questioned, how shall we reconcile this part of his evidence with that which followed, wherein he swears, " that I always taught the people, from the pulpit and otherwise, to do their work, obey their masters and all in authority over them " The part of this evidence to be believed can be easily ascertained by reference to the evidence of Romeo, a man that was present on every occasion, and who, upon his examination, being asked, " if he had ever heard me tell the negroes they must not mind for a few lashes," answered, " No," and added, " I did not hear him say so he said, if their masters gave them work, to do it patiently, and if their masters punished them wrongfully, they must not grieve for it " Bristol also states, that he has heard me speak about working on a Sunday, and that I said, " if their masters gave them work to do on a Sunday, they must do it, because they could not help it,

Fourteenth Day, 1 November 1823.

that they were not to break the sabbath day in doing their own work, because they must keep holy the sabbath day, which is a commandment of God;" and he emphatically added, "*that is all.*"

Seventhly.—That I have taught the negroes that it was sinful to work or traffic on the sabbath:

Every member of the court will, I am sure, allow, that in doing so I taught one of the first precepts inculcated in that holy book on which they have sworn to do justice.

From many passages of scripture which might be quoted, it is obvious that the violation of the sabbath by voluntary labour, which is not absolutely necessary, is regarded by our Maker as a heinous sin, and, on the contrary, the keeping of it in a religious manner is considered a virtue, and accepted as such through the merits of the Redeemer. In the face of so many precepts, could I tell the negroes there was no harm in working their grounds or in going to market on the sabbath? Was it for me to dispense with the commandments of God? Surely not. Voluntary and unnecessary labour on the sabbath I disallowed; I considered it a sin, and told them so. And if they are properly provided by their owners with the necessaries of life, as is asserted by all the planters, they can have no absolute necessity for going to market on the sabbath. One of the witnesses has stated that he heard me say, "If your master has any work for you to do on a Sunday, it is your duty to tell him that Sunday is God's day;" and that I said it "often." Even admitting this to be true, which I by no means do, I would ask, what crime have I committed? Are their masters greater than God? The very reverse is the case: Romeo and Bristol abundantly prove, that I taught the negroes to obey their masters if they were commanded to work even on a Sunday. Azor has sworn, that I told the negroes, that "if half a row was left it was not right to finish it on a Sunday," and upon cross-examination proved, that "I did not tell them not to finish the half row, but merely said it was not right." And who is there present that can truly say I was not justified in this remark?

Azor and Bristol say they have heard me speak about the people of England going to church: the former says he has heard me say, that this country was a very wicked country; in England they were all free, and they all kept the sabbath. Bristol says he has heard me speak about the people of England going to church. "In this country we cannot attend church as we would wish, because that is a free country, and in this we are slaves: that we must pray to God to help us, that we may be enabled to attend as far as we can: in this country they could not attend chapel as they could in any free country."

The allusion made by me to the churches in England, or in any free country, was merely for the purpose of showing some of the members, whose conduct was very faulty, that such behaviour in members would not be allowed in a free country; and it was only the consideration of their being slaves that made me tolerate many things in them which were not agreeable to the Christian religion, and for which, in a free country, they would be excommunicated: but that they must not make their condition in life an excuse for breaking the commandments, and neglecting religious duties; but they must pray to God to help them to serve him to the best of their power. I could never imagine that such an allusion to a free country would be construed into a crime.

I think it necessary to notice here the assertion of the prosecutor, that my interference related to the acts and deeds of the constituted authorities of this colony; to prove which, were produced some extracts from the journal, and two witnesses; Doctor M'Turk and Lieutenant Nurse.

There is not one word of this in the charges; and I defy the most subtle ingenuity to show that the evidence on this point can be noticed by the court; however, extracts were read; one of them stated, "That I believed the laws of justice, which related to the negroes, were only known by name here."

Hearing of the cruelty of some manager to a negro, and soon after seeing the driver flog a negro in the absence of the manager and overseer, occasioned this remark; here it is evident that the laws of justice refer to the arbitrary punishments inflicted by managers, and to the drivers flogging negroes in the absence of a master. That these things were common on some estates, at the time this was written, viz. in September 1817, is too well known to be denied.

I am truly sorry to be obliged, in my own defence, to touch upon what I must now state; but I am not the aggressor, I did not bring the journal forward, it has been produced, and those passages read; I am obliged therefore in duty to myself to explain them. The extract under date, March 22d 1819, is, "That from the grumbling of the negroes I was apprehensive of some disturbance; that I felt inclined to state my opinion to some of the rulers of the colony, but thought no notice would be taken of it, unless I criminated some one; *i. e.* lodged a complaint against some planter for violating the law in respect to the slaves." The following facts will, I trust, sufficiently explain this passage. About Oct. 1818, the Missionary Society printed an extract from a letter of mine, in which it was stated, that the congregation at Le Resouvenir had lately decreased in number, owing to the planters working their slaves on Sunday. The fiscal saw this, sent for me, and insisted on my bringing forward legal proof of the planters working their slaves on Sundays, that he might prosecute the offenders. My object having been merely to account to the society for the cause of such decrease in the congregation, and not the prosecution of the planters, I declined bringing such proof. The fiscal then acknowledged, that he knew the negroes were worked on a Sunday, and that he had twice fined Mr. Benny for this offence, but that he wanted legal proof of other instances, or words to that effect.

The

Fourteenth Day, 1 November 1823.

The matter passed over, and the congregation continued to suffer from the same alleged cause. Hence arose my reflections.

That I was justified in these reflections will be shown, by proving what I have stated. My journal, however, was the depository merely of my own thoughts, and I never promulgated its contents; had I done so, there would have been witnesses found to prove it.

I shall now take Dr. MTurk's evidence; it relates to two points,

1st. The small-pox.——2d. My arrest.

He could not prove any thing of recent occurrence, but he must prove something; and therefore has recourse to an affair that occurred in the year 1819, nearly four years ago; he has said much upon this subject, in fact, all that he could devise. It is unnecessary for me to go through his verbose evidence, its inconsistencies alone will I attack.

He says, that the small-pox occurred, or first broke out upon the estate in October 1819; on the 20th November he received a letter or order from his honor the Fiscal, enclosing one for me, bearing even date with his own. The letter to him desires him "to devise such means and take such steps as in discretion he should judge necessary, to see the order duly complied with." The order to me was, "that I should shut the chapel of plantation Le Resouvenir from all negroes not belonging to the said plantation, *as long as the small-pox* was upon that plantation," adding the reason "in order to prevent, as much as possible, the danger of spreading the infection further." The order was therefore *conditional*, and Doctor M^cTurk had a *discretionary power*; not only the letter states the doctor's discretionary power, but he has sworn he possessed it. Doctor M^cTurk was at that time the medical practitioner of the estate; he was also burgher-captain, and residing on the very next estate; he had known of the small-pox in October; not till the 20th of November was any step whatever taken by him to prevent the disease spreading; on the 20th November, however, this order, the first and only step taken, was given to me; I complied with it, Doctor M^cTurk says, partially; I shall come to that directly; no order was then issued to the managers to prevent negroes of other plantations from coming to Le Resouvenir, or to the manager of Le Resouvenir to prevent the negroes from going to other estates, or going to town. On the very day I received this order the negroes were assembling for chapel, for it was on a Sunday. I instantly dismissed those that were present, and employed persons to tell those who should come rather late, that they were not to stay, and to inform them of the cause.

About three weeks from the 20th November, elapsed.

The infected negroes, who had been placed at the back of the estate, were pronounced by Dr. M^cTurk, to be cured; they were allowed to return among the other negroes of the estate, and the house they had occupied was burnt; the cases not reported are admitted by Doctor M^cTurk, in his evidence, to have happened previously to the house being burnt.

Upon the house being burnt the disease was considered by every person on the estate to have been eradicated; this can be proved by Mr. Hamilton, then manager on Le Resouvenir, who at the time addressed a letter to Dr. M^cTurk on the subject; some of the negroes then began to attend the chapel as usual, nor did I prevent them. On the 24th of December an order is issued to the managers of the estates to prevent the negroes in general from coming to the chapel, and to Le Resouvenir; even then no order is given to the manager of Le Resouvenir to prevent the negroes from going to other estates, or going to town; no order is given to the managers of other estates to prevent the negroes of Le Resouvenir, from visiting their negroes; yet Dr. M^cTurk, the medical attendant, burgher-captain, and invested with discretionary power to carry the orders of the Fiscal into effect, under oath, "Supposes the disease is very dangerous;" supposes that it is more dangerous here than in Europe; and swears "that most assuredly a person may appear cured of the small-pox for months, and yet the disease may be lurking within him so as to be contagious." It is not necessary for me to seek after the cause of these extraordinary inconsistencies; Doctor M^cTurk has told the Court, under oath, that "the restriction applied *solely to the chapel.*"

He has said that the orders were partially observed for three weeks. Hamilton in his letter says, "to my certain knowledge there was no attendance by any negroes of the neighbouring estates to the chapel until the small-pox was considered by you, and me, and every person on this estate, as demolished." Doctor M^cTurk was asked, "who were the negroes that attended during the three weeks." He answered, "some negroes from Vryheid's Lust.

Vryheid's Lust is the property of H. van Cooten, the attorney of Le Resouvenir, and is to leeward, not far distant from Le Resouvenir. Had the negroes attended, H. van Cooten, the owner of one and attorney of the other estate, would most likely have known it. Hamilton's letter, however, is an answer to this.

Then we have a tale of Doctor M^cTurk's application to Doctor Walker, and his *anxiety* to get the Fiscal's permission to remove the restriction. The first is answered in his cross examination, where he declares, that "Doctor Walker never himself examined into the state of the negroes, but gave his opinion upon his (Doctor M^cTurk's) statement." With respect to the second, if it was necessary for Doctor M^cTurk to obtain permission of the Fiscal to remove the restriction, what became of the condition contained in the order of the 20th November 1819, and of the discretionary power vested in Doctor M^cTurk, with respect to that order?

Doctor M^cTurk then relates an attack, as he calls it, which I made upon him; but he did

Fourteenth Day,
1 November 1823.

did not say that he provoked any apparent disrespectful language I may have used on that occasion. He has not told the Court, what I shall prove, that he sneered at me, and mocked at the idea of the negroes being instructed in the tenets of our holy religion.

With respect, however, to the whole of Dr. Mc Turk's evidence on this subject, I have two objections:

1st. That if the whole of it were true, and taken in the spirit he gave it, still it cannot be received in evidence under any of the charges exhibited against me.

2dly, That it occurred upwards of three years ago; and by the 158th section of the Mutiny Act all prosecution or trial on account of it is barred.

With respect to my arrest, I shall take the latter part of Doctor McTurk's evidence, and that of Lieutenant Nurse together.

I am described as setting at defiance the commands of Captain McTurk. At the time, that is on Thursday, when Lieutenant Nurse ordered me to enrol myself in the militia, under Doctor or Captain McTurk, I did consider myself exempted from duty on account of my profession.

That I was mistaken is my misfortune. I knew that by Act of Parliament all ministers of the Gospel were exempted from bearing arms; and I considered that applied to my case in this colony. My counsel has since explained to me, and further told me, that in the eye of the law ignorance is no excuse. Lieutenant Nurse says, he explained the nature of martial law to me.—I deny that he did. I suspected the offer of Dr. McTurk, and more particularly as Mrs. Smith was mentioned in the instructions of a man who was my avowed enemy. I readily submitted to the sealing up of my papers. But when what I have since learned is known, *viz.* That Dr. McTurk's object was to arrest me, and that he did not want me for the purpose of bearing arms, let me ask in the name of candour and truth, what is all this evidence about my disobedience of orders brought forward for?—Had not Dr. McTurk, had not Lieutenant Nurse himself, sufficient force to have arrested fifty individuals like myself—why did they not do so?—No; if I refused, Lieutenant Nurse was not to use force. Had Dr. McTurk wanted me merely for a soldier I should not have been left by the lieutenant in the first instance.

After all, am I tried for disobedience of orders? the charges say nothing about this offence, even had I committed it, and I humbly trust the Court will view the evidence of these men in its proper light.

It has been stated that I remained at my house during the whole revolt in safety and without fear. I did so; but why?—I possess no slaves, or slave; I am not conscious of ever having wronged one. They had on the first night of the revolt, when I went over to Mr. Hamilton's, requested me to return to my house, as it was not their intention to trust any one, and I believed these assertions. Perhaps I placed more faith in the promise of the negroes than it was politic to do, or than others would have done; but too much reliance on such a promise surely cannot be an offence.

I have, I think, now stated sufficient to prove the fallacy and failure of the attempt of the prosecutor to prove that I was the cause of the revolt.

The prosecutor, however, in his zeal to throw the whole blame upon me, appears not to have foreseen the consequences of this attempt.

I shall now come to that part of the charges which regard the allegation of my having had knowledge of the revolt, and not having informed the constituted authorities of the same. As the first part of the second charge, and the third charge, appear to relate to the same supposed offence, in fact, to be one and the same, I will take them together.

The first part of the second charge, is, "That *having*, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negroe named Quamina, touching and concerning a certain intended revolt and rebellion of the negroe slaves within these colonies of Demerara and Essequibo." The third is, "For that he, the said John Smith, on the 17th of August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion intended to take place within this colony, did not make known the same to the proper authorities; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past."

With respect to the first part of the second supposed charge, it is impossible to make sense of it, either alone, or joined with the second part of the second charge. It does not charge me directly and positively with any offence, but appears to have been an introductory recital to the charge of some offence, which the learned prosecutor might have intended to make. An offence ought to be stated, in clear, positive, and direct *terms*; the offender ought to be charged with the offence in such a manner as to enable him to meet it; it ought not to be set forth as introductory matter, or by way of recital, for the law of England allows not this in criminal prosecutions, in any of its courts.

With respect to the third charge: the offence of which I am therein accused is expressly *confined to the 17th of August last past, and for a certain period of time thereto* preceding. The prosecutor is bound to confine his evidence to facts within the limit of that period; and although he may have attempted to introduce evidence of facts, which, he says, occurred on a day *subsequent* to the *seventeenth*, yet I do most solemnly protest against such evidence being taken into consideration by the Court, and I feel convinced the Court will allow the validity of my objections.

I shall, it is true, notice all the evidence, but I shall do so merely to explain it, that it may not hereafter prove injurious to my character, protesting, however, against its being noticed by the Court in any other way, under the charges preferred against me.

I have

Fourteenth Day,
1 November 1823.

I have told the Court that I wish to meet all the charges in a fair and impartial manner; I will endeavour to do so; but I will meet only the charges, for I am not bound to answer any extraneous matter, or any facts not happening within the time the prosecutor has stated. He has had many weeks to draw up his charges, and collect his evidence, and if he had not, still the law will not permit him now to supply defects.

The evidence under this head is threefold:

1st. To prove that positive information was given me of the revolt on the 17th of August, and for a certain period of time thereto preceding.

2d. That after the revolt broke out I confessed or admitted a previous knowledge.

3d. That I was on the 18th informed of the intended revolt, &c.

The witnesses on the first point are Emanuel, to prove that I knew of it three Sundays before; and Bristol, to prove that I was informed by Quamina, on the Sunday immediately preceding. Manuel states, that "three Sundays before this war came, Quamina, accompanied by him, Manuel, came to my house, to make inquiry respecting a paper of freedom, of which Manuel had heard Jack speak; that Quamina asked "why Mr. Cort and Mr. Stewart had called on me the preceding Friday? and was answered, "to inquire whether any of the negroes ever came to ask me about this paper; and further, Quamina told me, in his hearing, to take Jack and Joseph, and talk to them, because they wanted to make trouble about this affair.

This statement is altogether false, Quamina never opened his lips to me about the paper, (as they speak), except on the 25th July. This witness says it was three Sundays before the revolt, i. e. the 3d of August, that Quamina and he came to make the inquiry alluded to, and to ask why Mr. Cort and Mr. Stewart had called upon me; now Mr. Cort and Mr. Stewart did not call upon me till the 8th of August, and how is it possible that on the 3d of August any conversation could have passed relative to Mr. Cort and Mr. Stewart having called upon me on the 8th. From what he says respecting Mr. Cort and Mr. Stewart having called upon me, it may be thought that Manuel made a mistake as to the particular day, and meant two Sundays instead of three. Could the Court be brought to allow any validity to the testimony of so incompetent a witness, I think I can satisfactorily prove, that on the second Sunday before the revolt I was not in my study, unless merely to fetch any thing out of it, from before seven in the morning, an earlier hour than he came to chapel, until past five in the afternoon, long after all the negroes had returned home. The second Sunday before the revolt was our sacrament day, and on those days, for many months past, I had no time for retirement after leaving my study at seven in the morning. The morning service continued from about half past seven till nine. From thence, till ten, I was fully engaged catechising candidates for baptism. Breakfast followed, and then, immediately after, the meeting of the deacons and myself, and the members mentioned by Azor, as taking place at ten o'clock on the first Sunday of the month. This was a prayer meeting preparatory to the communion. On the conclusion of this service, the noon service was commenced, which was followed by the administration of the Lord's Supper. These services concluded about three, or half past three o'clock, and I resumed the catechising of such of the candidates for baptism as had been omitted in the morning for want of time; and I find it noted in the journal, that on that day I had been fully engaged from seven in the morning till half past four, thus it was impossible for me to have been sitting in my study on that Sunday. This witness is also, in another place, inconsistent with himself: he says he heard all the conversation that passed between Quamina and me at that time, and yet while he went into the parson's kitchen to get water to drink, Quamina was in the room. He could not get water in the kitchen, he must either have gone some where else for it, or, which is more likely, have waited till some one fetched it for him.

Again, Manuel says, "Quamina went away from there" (the meeting in the middle path of Success,) "with Bristol the deacon, about four o'clock on the Sunday before the war began. I saw them go on the path towards Mr. Smith's. Bristol came back about five o'clock; he said it was wrong, and they were not to do any such a thing." With this it is necessary to compare the testimonies of Bristol and Seaton: the former of whom says, "I was not at the meeting in Success middle-path; was not in that middle-path on the Sunday before the revolt. I went with Quamina to Mr. Smith; I went direct from the chapel to Mr. Smith's house. After I had talked to Mr. Smith about my girl, I went to the chapel; after that I think I went home." Seaton says, "I did not see Bristol at the Middle Walk on that day." Again, Manuel says "the whole congregation was at the meeting in Success Middle Walk." Seaton says, "not many people were there." Lastly, this witness (Manuel) says, that "he heard of the revolt a month and a half ago, before it; and, in another part of his evidence, he makes it appear, that he had only just heard Jack speak about the free paper, and asked Quamina if he knew any thing about it, who said, follow me, and immediately came with Quamina to me to make the inquiry.

The simple facts of my supposed knowledge on the 17th of August are these: On that day, it being Sunday, I had been in the discharge of my ministerial duties in the chapel to a very late hour. It was at least four o'clock when I finally left the chapel to go to my dwelling-house. On arriving there, I found Bristol talking with Mrs. Smith about a little girl, a daughter of his, whom he wished to place under Mrs. Smith's care. I joined in their conversation, and found that the girl had had the measles, from the effects of which she was then stated to be only just recovering. On this ground I objected to her being brought to the house until she was perfectly recovered, as there were negroes on the estate whom she might have infected with the complaint. Whilst I was conversing

Fourteenth Day,
1 November 1823.

with Bristol, Quamina and Seaton, according to custom, came in, and were soon followed by two others. Their coming in was nothing unusual; it was not a circumstance to excite any particular notice. They seldom went away on a Sunday without coming in to the back gallery to bid us good bye. This was the case with many of the people, and I considered that they came in, on that occasion, merely for that purpose. They were all standing together, and I went into the hall to get a glass of wine. While drinking it, I heard Quamina and Seaton, who were talking together in a low tone of voice, use the words 'manager and new law.' This induced me to rebuke them for talking about such things. Quamina said "Oh, it nothing particular sir; we were only saying, it would be good to send our managers to town to fetch up the new law." I immediately replied, that such conversation was improper; that they would be fools to say any thing to their managers about it, for they were not the law makers; that if there was any thing for them they should wait patiently, and they would no doubt soon hear of it, either from the governor, or from their masters; but that if they manifested any impatience, or behaved insolently to their managers, they would lose their religious character, and would provoke the governor here, and the King and the Government at home. Quamina replied, "very well, sir, we'll say nothing about it, for we should be sorry to vex the king and the people at home." They then went out all together, each, bidding me and Mrs Smith good afternoon.

From all that passed I had not the smallest idea that they intended to revolt. The receipt of Jacky's note on Monday evening brought to my recollection what I had heard the preceding day, and caused me then to attach to it a meaning which I had not attached to it before.

I will examine the evidence given by the witnesses for the prosecution, and will not only content myself with pointing out the inconsistency and improbability of the whole, but endeavour to prove the facts as they really occurred.

Bristol is the only witness to prove that I was informed of the revolt on the 17th of August; Bristol says, "on the Sunday before the revolt Quamina and he came into our house to ask me about a paper that had come from home, to make the people free; when we went in, Quamina asked Mr. Smith if any freedom had come out for them, Mr. Smith told him no; Quamina said Jack and Joseph were speaking very much about it, and wanted to take it by force; Mr. Smith told them to wait, and not be foolish; 'how do you mean to take it by force; you cannot do any thing with the white people, because the soldiers will be more strong than you, therefore you had better wait;' he said, well, you had better go and tell the people, and Christians particularly, to have nothing to do with it." Seaton says, "Quamina came back to our house from the Success Middle Walk." It is possible he might have done so, but I neither saw nor heard of his coming to my house a second time. When Quamina and the others left, we immediately sat down to dinner, after which, we took a longer walk than usual, and returned in company with Mr. Hamilton and Mr. Van Ness, who remained with us till between eight and nine o'clock.

The statements of Bristol and Seaton are very incorrect, and in a great measure false. They say that Quamina came to ask if there was any paper of freedom come out. It was very unlikely that Quamina should come to ask such a question, when he had been told by me, in answer to his own inquiry on the 25th of July, that the report of freedom having come out was false, and must not be believed, for the king could not make them free.

Bristol states, that Quamina told me "Jack and Joseph wanted to take the freedom by force." Seaton represents himself as being present at least at the beginning of the conversation, when, according to Bristol, Quamina said, "Jack and Joseph wanted to take their freedom by force," but Seaton is silent on that, and swears, that nothing was said on that occasion about freedom having come out from England for the negroes. In his cross examination he is pointedly asked the question, "Was any thing said about freedom having come out from England for the negroes?" and he answered "No." I shall prove, that Seaton was there during the whole of the conversation, although he says, that he went away alone. A more cursory review of this part of Bristol's evidence will be sufficient to detect its prevarication and falsehood. He says, "when Quamina was going into Mr. Smith's house I went with him," and in another place, he says, "I believe I talked to Mr. Smith about my little girl before Quamina came in; Mrs. Smith was present; I can't tell whether any body came in while I was talking to Mr. Smith about my girl; may be some body might have come in. After I had talked to Mr. Smith about my girl I went to the chapel; after that I think I went home. I did not see Mr. Smith after I went home. When Quamina told Mr. Smith that the negroes were going to take their freedom by force, I did not see any body else present." Although other negroes were in the room during the conversation. Seaton also says, "there was no one else there but Quamina and Bristol and himself."

Many questions were put to the witnesses relative to the sermon I preached on the Sunday preceding the revolt. There is no length to which perversion will not lead men. Neither the text nor the sermon could have, nor had, in my mind, any reference to an event of which I was as totally ignorant as any member of the Court. It is a text which is frequently selected by ministers. I have myself preached from it before, and I am pretty sure in the same chapel. The circumstance of a number of our congregation being advertized for sale by auction, some on the day of the revolt, if I am not mistaken, and others soon after, was the cause of my choosing that text, as it certainly was on the second Sunday before the revolt. I expected that many of the people would be removed far from the means of religious instruction, and would probably never again enjoy the privileges they had in too many cases abused or neglected.

The

Fourteenth Day, 1 November 1823.

The sermon was to a large congregation, and (though not larger than usual,) notwithstanding Doctor M^c Tuik swears that many more people than usual came to Le Resouvenir that day, there were many white gentlemen present, and surely if any thing had been advanced indicative of what was about to take place, some of them would have come forward and testified to the Court. But strong as is the current of prejudice against me, no one has intimated any thing on that subject. Had I been aware of the intended rebellion, surely I must have been an idiot to have chosen a text which it was possible for the ingenuity of my enemies to turn against me.

I cannot dismiss this part of my defence without noticing the extreme scantiness of the evidence produced to prove a previous knowledge of the revolt, and a previous correspondence with Quamina. Bristol, the only witness as to the communication of Quamina with me on the 17th of August, upon his cross examination was asked by me, " Were there any preparations made for the war before you and Quamina went to Mr. Smith?"—" No, I do not know of any." " Had the people no guns or powder or shot provided?"—" I did not see any." " Did Quamina tell Mr. Smith by what means they intended to drive the white people to town?"—" No, sir, no further than I said before, that Jack and Joseph had said their freedom had come out."—" Did he, Quamina, say when the white people were to be driven to town?"—" No."—" Did you hear all the conversation that passed between Quamina and Mr. Smith?"—" Yes."—Will you state all that Mr. Smith said, as well as all that Quamina said?"—" I have already stated all I know." With the exception of the story about Jack and Joseph, which I will prove did not occur, what is the whole of this tale? why, that there was some sort of grumbling among the negroes; but was I to infer from this circumstance more than was inferred by others from things of greater magnitude? Does this evidence prove that I had a *knowledge* of the revolt? It would have been strange if such knowledge could have been derived without any mention of place, time, or circumstance.

The most that this evidence, were it all true, could prove, would be, that what passed might have awakened my suspicions. Had my suspicions been awakened, that was not knowledge; and I am not aware of any obligation I labour under to impart suspicions when I was not likely to meet with attention, especially as suspicions were at that time entertained by almost all persons in the colony.

2dly. That after the revolt broke out, I confessed or admitted a previous knowledge.
To prove this, two witnesses were called, John Baillie and John Aves.

John Baillie states, that on the first evening or night of the revolt he called at my house, where he saw me for the first time; that he said, What a piece of work is all this! that thereupon I asked what he meant by a piece of work; that he answered, about the negroes rising; and remarked that it was very extraordinary they should not hear of it in town before it came to the point; and that I made answer, and said, " I have known about this these six weeks." Were the evidence of this man borne out by that of John Aves, and had I even said that I had known about the revolt for six weeks, to what would it have amounted? Does the word "know" necessarily imply knowledge derived upon information or participation? Does it not also very often imply an opinion grounded upon certain data. But the truth is that I did not use the word know. I might have said " this was to be expected six weeks ago," or words to that effect. Indeed John Aves declared, that such was the expression used to him. John Baillie swears that John Aves and the two black men were present in a very small room during the whole conversation between me and himself. John Aves gives a different account of this, and says, that I said "this is a thing been expected these six weeks;" let the account given by each of these witnesses of their conversation with me be read, and it will be found that they so exactly agree in all things, save the words " know" and "expected," that no one can for a moment doubt that they were together during the whole conversation upon this subject. They both of them saw me for the first time, and this lasted for about a quarter of an hour, during which time it would appear, that upon a subject of such importance I held to two persons two different conversations, those persons being in hearing of each other, if they chose to listen to what was said. From the evidence of the negroes the revolt was not planned until Sunday the 17th, and yet I could on the 18th declare, according to John Baillie's evidence, that I had known of it for six weeks.

Gentlemen, such an event was not *surprising to me,* although I had no information or participation in the matter.

The negroes had on various occasions manifested a spirit of dissatisfaction. Instances of this I will prove. These instances were known to the different managers and attornies, for some of them communicated them to me. Mr. Cort and Mr. Stewart, men well acquainted with the negro character, in consequence of my having voluntarily mentioned to Mr. Stewart, on the preceding day, " that Quamina had been there to inquire of me about the report of freedom," had called upon me to inquire whether I knew the state of their minds regarding the report which had got into circulation among them concerning the then last instructions from home: Mr. Cort can prove that I felt disposed to tell them from the pulpit that the report was false, which he advised me not to do, as it might give offence.

The negroes knew that some instructions had come out for them; their being held back gave rise to an opinion that it was unconditional freedom. I was asked about it by Quamina. I told the truth concerning the instructions regarding the whip; informed him that there was no freedom; and gave him such advice on the occasion as has been stated by several of them—to wait in patience for it. This was on the 25th July, and communicated to Mr. Stewart.

Fourteenth Day,
1 November 1823.

As far back as under date 21 March 1819, my journal contains a passage, where, reflecting upon the murmuring and dissatisfaction of the negroes, I say, "nor should I wonder if it were to break out open in rebellion." It is a wonder that this has not been brought forward, to prove my knowledge of the revolt in August 1823. It was not myself alone that entertained fears and suspicions; others did; and I will prove that his Excellency was told, months before the revolt, that the minds of the negroes on the east coast were in a state of dissatisfaction, and that the informer apprehended that serious consequences would ensue. I knew not all this when I was arrested; but is it not a grievous hard case, that an attempt should be made to prove that I had knowledge of the revolt, and to punish *me for not telling what I did not know*, when the heads of the departments knew ten times as many facts upon which to ground their suspicions and expectations. I had suspicions only; and what would have been said to me, a poor despised missionary, had I imparted those suspicions, and they had proved groundless?

3dly. That I was on the 18th informed of the revolt.

I have already stated, that all the evidence produced on this point is extraneous and inadmissible. The period of time in the charges is confined to the 17th day of August, and a certain period of time thereto preceding; and the evidence must be also limited to the 17th of August; it cannot be extended to acts of the 18th, for I am not charged with having committed any act on the 18th: allowing, however, for argument sake, that such evidence might have been admitted—might have been taken into consideration by the Court, that it was so clear and conclusive as to satisfy the minds of any court that I so wilfully and illegally kept to myself what knowledge I possessed as to have incurred the penalty assigned by law for offences of the most heinous nature.

What are the facts attempted to be proved?—that about six o'clock a letter was sent to me, that at half-past six the revolt occurred, and I had not given notice of it to doctor M^cTurk!

The first intimation I had that the negroes had any improper intention was given me by Jackey's note. I have already stated that the contents of that note made me attach to what I had heard on the Sunday a meaning which I did not attach to it before. When Guildford arrived with the note, I and Mrs. Smith were going out for a short walk; she had her bonnet on, and was waiting for me; it was just six o'clock. Having read the notes, I inquired if he knew their contents, and who carried the inclosed note to Jackey; he prevaricated so much that I could learn nothing. I delivered to him a verbal message; I told him to return, making all possible haste, and tell Jackey that I was surprised, and vexed and grieved, to find that the people were meditating mischief, and that I hoped he would have nothing to do with the project whatever it might be, and endeavour to keep the people quiet. Just as he was going away, it occurred to me that Guildford might prevent the message if he was so inclined; to prevent which I told him to wait, and I would write an answer; it was too dark to examine the nib of the pen; I therefore wrote it in great haste with a pencil. When I gave the note to Guildford it was about a quarter past six. I put the notes in my pocket, and went a little way up the middle path with Mrs. Smith, consulting together as to the best step to be taken. We had not proceeded more than 70 or 80 roods when we heard a tumultuous noise at the manager's house.

We immediately turned back and went to Mr. Hamilton's door; seeing the negroes behave roughly to me for endeavouring to quiet them, Mrs. Smith ran away to get some body to fetch me away; she returned, and when the negroes had retired we went home together.

This is a simple and faithful statement of the facts of the case, upon which I will not trouble the Court with evidence, unless the Court should think (a thing hardly possible) the evidence of the prosecutor on this point admissible. But suppose then that the evidence was admissible, what does it prove; that I have done any more wrong than the burgher-captains, M^cTurk and Spencer, or Hamilton the manager of Le Resouvenir? M^cTurk swears that he knew it at four o'clock; Hamilton was informed of it in the morning; and though the one lived on the very next estate to Le Resouvenir, and the other on Le Resouvenir, neither of them imparted a syllable of it to me. Captain Spencer was informed of it by captain Simpson, yet did not believe it, and did not assemble the militia, nor even inform the managers of the different estates to be on their guard. Now here are men that had knowledge four hours before it broke out.

I knew of it a quarter of an hour only, and because I had not presence of mind, or even time to catch my horse, which I will prove, if required, for he was loose, and ride about the country, I am to be tried.

The reason of my tearing up the notes was, because, as the rebellion had broken out already, the communication of them to any one could not prevent it, and it never occurred to me that this might be otherwise useful.

I have at length arrived to the fourth and last charge, though, properly speaking, it is only the third offence alleged against me.

It consists of two parts:—

First, That on Tuesday morning Quamina was seen by the boy Mitchell coming to my house:

Secondly, That I held correspondence with him on the night of the 20th, well knowing him to be an insurgent and engaged in the revolt, without using my utmost endeavour to detain and secure him, and without informing the constituted authorities of his having been

at

Fourteenth Day, 1 November 1823.

at my house. And the second part of the second charge is to the same effect, and I shall take them together.

The boy Mitchell is of notorious bad character, and what does his evidence amount to? that he saw Quamina come into my yard on Tuesday morning in open day-light, when the sun was high; and I most solemnly declare I never saw Quamina on the Tuesday morning. He may have gone into the yard, or he may not; I never saw him, nor had I ever any direct or indirect knowledge of his being there until I heard the evidence of Mitchell in court.

On the second point, viz.:—That I held correspondence with Quamina on the 20th of August, well knowing him to be an insurgent and engaged in the revolt, without using my utmost endeavours to detain and secure him, and without informing the constituted authorities of his having been at my house, &c.

Let us examine the evidence.

Antje says, that on "Tuesday, between twelve and two o'clock, Mrs. Smith sent for her, that she went, and on her arrival Mrs. Smith entered into conversation with her, and inquired of her what was the matter that the people were doing so?" Antje said, "I do not know Ma'am, the people wish to get their liberty." Mrs. Smith said, "the people did not behave well, for black people could not fight against whites;" she said "she had been afraid the whole night, and could not sleep"—That she (Antje) "was so afraid too, that she did not know where to go, either into the great house or the negroe house." Mrs. Smith said, "don't be afraid, they won't hurt you;" "then she went to lie down, and told me she wished to see Quamina or Bristol very much: I did not know any thing about it, but I then got a boy to send back to bring Quamina to the lady." Mrs. Smith said nothing in that conversation about which would conquer; she said nothing further; she said nothing about the mode in which the negroes were to carry on the war. By her evidence it appears that the next evening Quamina came to her, and she conducted him to my house, informing Mrs. Smith *only*, and *that* without my knowledge and out of my hearing, that Quamina was come; that she then conducted Quamina to my house; that Mrs. Smith received him and shut the door. The girl Elizabeth says she was in my house on Tuesday and Wednesday; knows Quamina, of Success, and saw him on Wednesday night inside the hall; that myself and Mrs. Smith were there; that I was sitting down in the hall close to the table on a chair; that Quamina stood a little near me; that no one else was in the room besides Quamina and Mr. and Mrs. Smith; that Mrs. Smith remained in the hall all the time that Quamina was there; I did not see her go to the front door during that time; I heard Quamina and Mr. Smith talk together; that Quamina staid there a little longer than she had been before the Court; that she saw him when he went out; that after Quamina went away she saw Mrs. Smith, who said she must not tell any body that she saw Quamina in the house, and if she told any body she (Mrs. Smith) would lick her; did not see the prisoner or Mrs. Smith give Quamina any thing; when he went he had a stick upon which there was a bundle.

Even though the whole of this evidence were true, there is nothing in it to show that I am guilty of the offence for which I am charged.

First, It is not proved that Quamina was a rebel.

Second, That I had any knowledge at the time of his being an insurgent.

Thirdly, Nor does it appear that I gave him any intelligence, or held any such correspondence with him as can subject me to punishment.

In the first place it is not shown that Quamina was a rebel. Some questions have been asked, and answers given, to show that Quamina was engaged in the revolt; but this is not sufficient; it ought to have been shown that he had been *convicted* as such. It is laid down in Hale's Pleas of the Crown, 234, "that if a person be arrested for treason, he that rescues him is guilty of treason," but according to the same author, 235, "*this case is not at all now in force, nor binding*. That therefore at this day, if one be committed for suspicion of treason, and another break gaol to let him out, yet unless the party imprisoned were really a traitor, this is no treason at this day." The same author in page 237, says, "he that rescueth a person imprisoned for treason, or suffers him voluntarily to escape, *shall not be arraigned for that offence till the principal offender be convicted of that offence*; for if he be acquitted of the principal offence, the gaoler that suffered the escape, and he that made the rescue, shall be discharged; and the reason is, because, though rescuing a person charged with treason, or suffering him wilfully to escape, be a great misdemeanor, yet it is not treason, unless in truth and reality he was a traitor; *for a man may be arrested or imprisoned under a charge of treason, and yet be no traitor*;" again, in page 238, "and though the receiver of a traitor *knowingly*, be a principal traitor, and shall not be said an accessary, yet this much he partakes of an accessary.

"That if he be indicted by a several indictment, *he shall not be tried till the principal be convicted*, upon the reason of the gaoler and the rescuer before given, for the principal may be acquitted, and then he is discharged of the crime of receipt of him. If he be indicted specially by the receipt, in the same indictment with the principal offender, as he may be, *yet the Jury must first be charged to inquire of the principal offender, and if they find him guilty, then to inquire of the receipt*, and if the principal be not guilty, then to acquit both; and accordingly it was ruled in Arden's case (G.) For though in law they be both principals in treason, and possibly process of outlawry may go against him that receives, at the same time as against him that did the fact, and though the principal appear, process may

Fourteenth Day, 1 November 1823.

go on against the other, *yet in truth he is thus far an accessary, that he cannot be guilty if the principal be innocent.*"

I said that it has not been proved that Quamina was a rebel. I maintain that to establish this, *conviction* was necessary. Even when he was shot, he had no arms, nor had any one that was with him, according to the testimony of captain M'Turk; and surely implicit reliance cannot be placed upon evidence of such witnesses as the negroes brought against me. The man was never tried; and however strong the presumption may be against him, still there is no saying, that had he been tried he might, upon cross examination of the witnesses against him, and by the evidence of his own witnesses, have so explained his conduct as to have shown that he was innocent. He might have been carried a-back by force, for any thing that appears to the contrary. It is contrary to the first principle of English law to believe a man guilty, until he shall have been proved to be so, that is, fairly *tried* and *convicted*.

Secondly, It is not shown that I had any knowledge of Quamina being an insurgent at the time he was at my house on Wednesday the 20th.

Criminality in this case entirely depends upon the *knowledge* I had of Quamina being an insurgent. The prosecutor has been aware of this, and has accordingly averred it. This averment was not only important but necessary, for in a case of this kind the very essence of the crime consists in the guilty knowledge of the defendant. Stark. Criminal Pleadings, 153. So the receiver of a traitor *knowingly* makes the receiver a traitor. Hale's Pleas of the Crown 237. It may be said that this knowledge may be implied. Implications and presumptions, however, are not to supply the place of positive evidence, where there exists a possibility of their being wrong.

There are three circumstances which deserve notice:

First, Mrs. Smith requesting Kitty Stewart to accompany Antje:

Second, Mrs. Smith shutting the door (as stated by Antje):

Third, Mrs. Smith's threat to Elizabeth (as stated by Elizabeth).

I believe that a husband is responsible in civil courts for the acts of his wife, but that he is not responsible for any crime committed by her. I do not mean that it should hence be inferred that Mrs. Smith is guilty; but even were the evidence all true, it does not relate to me.

Mrs. Smith is my wife; but I solemnly declare I never knew any one of the three circumstances just enumerated until they were detailed in evidence. They relate not to *me*; and whatever suspicion they may carry with them, if believed, still that suspicion ought *not* in justice to operate against me.

Antje knew nothing about the revolt; and Jane Grant also swears that she did not know that Quamina had any thing to do with it. If then so many persons about me were ignorant of the fact, it surely could not have been notorious in my immediate circle; notorious or not, I did not know it. Had I known it, and desired to have a secret meeting with Quamina, I should certainly not have chosen my own house for that purpose; at all events I should have sent all the servants away.

Thirdly, It is necessary that the correspondence or communication should at least have a tendency to direct or embolden the enemy in his attack, or to weaken the efforts of the resistance prepared against him. See Samuel on Courts Martial, 581. It is surely necessary then to prove, in some manner or other, that my communication was of this tendency; but the prosecutor has been wholly silent; and surely the mere act of having seen an individual can never be construed into an aiding and assisting in rebellion according to the second charge. It has not been proved that Quamina was a rebel, if he was, I did not know of it. I did not send for him, nor did I know any thing of his arrival. I gave him no communication touching and concerning the revolt, for I had nothing to communicate, and if I had, still I would not have done any thing so improper; it was not until I asked him where he had come from that even his manner became changed, and without answering me, he suddenly turned round and went away. Mrs. Smith was the only person present, and if the Court could admit her testimony she could explain the whole. One of the facts which appear to militate against me, I think I can prove is incorrect, viz. that Mrs. Smith shut the door. I can do this, because I have a witness. With regard to the other two points, I could explain them also, had I any other witness than Mrs. Smith to support my statement.

From the nature of the whole evidence against me, explained and contradicted as it will be, I feel assured I have cleared up every point except one, and it will be apparent, that even that one could be cleared up also, did not the policy of the law, and the rules of evidence, prohibit my wife from bearing testimony.

With respect to my not attempting to secure the man, I did not know that he was *even a reputed* rebel, and if I had known this, gentlemen, look at me, and ask yourselves how it was possible for me, unarmed, to secure the man. The attempt, therefore, would have been vain and ridiculous.

It will be asked why I did not give information. My answer is, again, that I knew not that the man was even a reputed rebel; and suppose that I had known this, of what utility could such information have been, when the man had gone I knew not whither?

Before I conclude, I feel it my duty to observe upon the nature of the evidence brought against me. It is either the evidence of slaves, or of persons, with a very few exceptions, grossly prejudiced against me; prejudiced from motives of interest, that is, from imagining that the diffusion of knowledge among the negroes will render them less valuable as property.

Fourteenth Day,
1 November 1823.

The first class of witnesses consists of persons extremely ignorant, and decidedly under the influence of their owners. It cannot be expected that the love of truth and justice will render them superior to the fear which must exist in their minds, of men by whom their fellow-labourers have been punished, even for attending divine worship. Some of them are extremely ignorant, and savage, as the boy Mitchell, who did not even pretend to understand the nature of an oath, until he was asked "if he believed God Almighty a-top;" of course he answered yes, and he was legally sworn. I am aware, that however necessary the policy of colonial governments in this hemisphere may have thought it to exclude negro evidence, still in a court martial it is strictly legal to admit it. In admitting it, however, the Court ought to be well aware of the negro character, and to be very cautious as to the degree of credibility to be attached to their evidence. Nothing can be more evident, even from the evidence before the Court, than that negroes have but little idea of the obligation of an oath; hence the prevarications, and falsehoods, and contradictions, so apparent in their evidence. They have no notion of time or circumstance, and it is but too clear that their evidence has been made up of shreds and patches, obtained from conversation, from hearsay, and from their own misinterpretations of what had been propounded to them. They are generally incapable of narrating a transaction, neither can they relate, with any tolerable accuracy, even the shortest conversation; so well known is this, that they are seldom intrusted to deliver a verbal message. Notwithstanding all this, what has the prosecutor been able to produce against me? Divest the evidence of all that I shall prove to be exaggerated, misrepresented, and false, and nothing will remain to prove me criminal, either in a moral, religious, or legal view.

With respect to the other class of witnesses, I will abstain from saying more, than requesting a perusal of their evidence, and if its tenor, as well as the questions put by the Judge-Advocate, do not bear me out in asserting that a spirit of prejudice does exist against me, then I am incapable of forming an estimate of mens opinions from their words.

My journal must not be omitted. Its origin and nature I have explained. Whether it be evidence or not against me is not now a question to be determined; I am not ashamed of it, but I do feel aggrieved at its contents having been made public, for they were never intended for that purpose. Not only those parts of its contents read in court have been known, but other parts, the publication of which (however true the facts contained in my statements) may wound the feelings of many persons. Whether this would have a tendency to prejudice mens minds against me I leave to the consideration of the Court.

In conclusion.—Upon a fair and candid review of the whole evidence, it is not apparent that I am guilty of any one of the charges, and it might almost seem that my opinions, and not myself, have been tried. Those opinions are founded upon the Gospel that hath withstood for ages all persecution: its promulgation has increased from opposition, and its truths been made manifest by investigation.

It has prospered, and will prosper, and in its prosperity will impart happiness to all those who seek knowledge from it.

It has already produced a material alteration for the better in the minds of the negroes.

The love of religion is already so strongly implanted in them that the power of man will not be able to eradicate it.

I have been informed, and can prove, that even in the midst of the revolt, whilst the negroes were all assembled—all in arms, some of them were heard to say, "We will take no man's life, for we cannot give it."—"We will shed no blood, for it is contrary to the religion we have been taught." Which of the negroes said this? Not the lowest class of Africans—not the heathen, but the Christian negroes.

This revolt has been unlike every other I ever heard or read of. In former revolts in this colony, in Jamaica, in Grenada, and in Barbadoes, blood and massacre were the prominent features. In this a mildness and forbearance, worthy of the faith they professed, (however wrong their conduct may have been) were the characteristics: even the attempts at bloodshed in this have been confined to the Africans who were not yet baptized. This is apparent from the evidence already before the court.

(Signed) JOHN SMITH.

Monday, Fifteenth day, 3rd November, 1823.

Fifteenth Day,
3 November 1823.

THE Court met pursuant to adjournment, when the prisoner proceeded to call evidence in support of his statement in defence.

Michael M'Turk; duly sworn. (1st Evidence.)

What is your name?—Michael M'Turk.

Are you the same witness that appeared on this trial before?—I am.

Have you brought with you the letter required by the summons?—I have.

Will you produce it? The witness produced the letter (No. 9).

Are you acquainted with the hand-writing of the person whose signature it bears?—I am.

Is that letter in the hand-writing of John Hamilton?—I believe it to be so; and for this reason, because it is a reply to one I addressed to him the previous day.

At the time you received the letter, where did the writer live, and in what capacity?—At plantation Le Resouvenir, as manager.

Fifteenth Day, 3 November 1823.

Did you receive it on or about the day it bears date?—I think it was on or about the day it bears date. [The letter before alluded to (N° 9,) read by order of the Court.]

(Questions by the Judge-Advocate.)—Did you reply to that letter?—Yes, by stating it was incorrect, both as to the two cases having been reported, and my considering the small-pox demolished, as he called it.

(Questions by the Court.)—Have you that answer with you?—I have a copy of it. [The copy of this answer produced and read (N° 10).]

Is that a true copy of the original sent?—Correct.

2d Evidence.

H. van Cooten duly sworn.

What is your Christian name?—Henry.

Where do you reside?—On the coast, at Vryheid's Lust.

What is your calling in life?—A planter.

Do you know the prisoner?—Yes.

Do you remember his arrival in this colony?—Yes; but I don't recollect the precise time; it may be ten years.

After his arrival, do you remember the prisoner's expressing any particular wish concerning the chapel?—Not in particular.

Do you remember any thing being said by the prisoner about the removal of the chapel to the road-side?—Yes, I do. Mr. Smith, as far as I can recollect, wished me to write to the owner, to obtain leave to remove the chapel to the water-side, near the road.

Did you ever attend the prisoner's chapel?—Yes, frequently.

When you have so attended, what has been the tenor of his discourses?—It has not been for the last twelve months that I have attended, and I cannot recollect.

Do your negroes attend the chapel?—Yes, several of them.

Is this with your approbation?—Yes.

What sort of negroes were those of yours who attended?—The principal one was the carpenter, Mars, Azor, now in jail, and many field negroes.

Do you know any white persons in this colony that subscribe to the Missionary Society?—I have been myself a subscriber when I was asked by Mr. Smith, and I believe several on the coast.

Is that the society to which the prisoner belongs?—Yes, the London Missionary Society.

Have you perceived any alteration in the behaviour of your negroes since their attending the chapel?—Yes, I think so; that is to say, I think they have been rather more obedient than formerly.

Did you tell this to any one?—Yes, I have told it sometimes, I believe, but I cannot recollect well.

Did you ever tell it to the prisoner?—Yes, I think I have.

Were you acquainted with the fact of the negroes purchasing books from the prisoner?—I cannot absolutely say that they purchased them; but they have had books from the prisoner, I think I recollect.

Did you allow your negroes to have books from the prisoner; and if yea, why?—I have not objected to it; because I thought there was no harm in it.

Were you acquainted with the fact of the negroes throwing up money in the chapel?—I have heard of it, but was not particularly acquainted with it.

Were you ever present when money has been therein collected?—I don't recollect that I have.

Did you ever hear Mr. Davies preach a collection sermon in that chapel?—I do not recollect.

Where were you when you gave the first donation for the Missionary Society?—On my estate.

Was it your name or draft for the money you gave on the estate?—It was my draft on a house in London. I first put down my name, and then gave a draft.

Did you ever give any draft for the money to the society when you were in the chapel?—No.

Had you any suspicions previous to the revolt, that such an event would take place?—No, I had not.

Did any thing particular among the negroes of Le Resouvenir take place about ten or twelve days before the revolt?—Yes, some came to complain to me respecting the manager.

Did you hear any thing about some of the negroes laying down their tools, or refusing to work; if yea, state what it was?—It seems there were some unwilling to work, but they did not absolutely refuse to work that I know; there was a few absented themselves, but came back the next day.

Was there any particular reason for their returning?—Not that I know.

Did one of your sons, or son-in-law, go a-back and expostulate with them?—No, I don't recollect.

Do you remember any thing of a report which was said to be among the negroes concerning their freedom, which they had imagined had come out?—I remember some time before the revolt a rumour that the negroes expected something to be done for them at the sitting of the Court of Policy.

How many years have you been in this country?—These fifty years past; it was fifty years last February.

How

Fifteenth Day,
3 November 1823.

How much of that time have you been in the habit of observing the character of negroes?—I suppose from the beginning.

Are they in general capable of relating correctly any conversation that has taken place in their presence?—I think very badly in general; some of them may be more capable than others.

Is it customary to send negroes with verbal messages when accuracy is required?—No, it is not; at least I would not do it.

For what reason would you not send such messages verbally?—Because I think negroes in general bad messengers; ten to one if they carried it correctly.

Who is the attorney of plantation Le Resouvenir?—Myself.

Do you consider yourself or the manager bound to communicate to the prisoner all official orders regarding the negroes in general, which may be sent to either of you?—No.

Were they that attended the chapel, in appearance cleaner or better dressed after they attended the chapel, than they had been used to be before?—I don't know of any difference.

(*Questions by the Court.*)—In your judgment would not any negro remember the substance of a conversation about a revolt, or the soldiers being more strong than them if they revolted?—I think they might.

Do you know Bristol, Seaton and Manuel, witnesses on this trial?—I do not know them.

Were the negroes of Le Resouvenir also rather more obedient, as well as those of Vryheid's Lust since they attended chapel?—I cannot say that; I have not found any difference on Le Resouvenir estate; the negroes of Le Resouvenir did not attend chapel so well as those on the neighbouring estates.

How do you know that?—That I heard from the prisoner.

How did Le Resouvenir negroes behave during this revolt?—They came into the house, and forced the arms from the manager the first day, but I was not present.

Are you aware that these negroes joined in the revolt?—According to reports they certainly did.

Would you at any time, whilst Bethel chapel was shut, have prevented Mr. Smith (the prisoner) preaching to or instructing the negroes on your estate?—I would not have prevented it had I been asked; but it was not done.

In your opinion could the negroes recollect the heads of a short discourse, and accurately take up the meaning of the lectures?—Of a short discourse some might, I think.

The Court adjourned till the following day at ten o'clock.

Tuesday, Sixteenth day, 4th of November, 1823

Sixteenth Day,
4 November 1823.

3d Evidence.

THE Court met pursuant to adjournment.

John Stewart, duly sworn.

What is your name, place of residence, and calling in life?—John Stewart, manager of plantation Success.

Had you an opportunity before you became manager of Success, of observing the behaviour of other negroes?—I had.

Did you observe any difference between the behaviour of the Success negroes and that of the negroes of other estates, if yea, what difference?—I don't recollect observing any particulars.

What was the general conduct of those of the Success negroes who attended chapel?—Some good and some bad.

Did any one ever inquire of you concerning the behaviour or the Success negroes, if yea, who?—I really don't remember. I remember Mr. Smith once asking me about the character of Quamina.

Did you ever commend the behaviour of the Success negroes, who regularly attended the chapel, to Mr. Smith?—I do not recollect, but I may have done it.

Did you ever refer any quarrel or misdeed of a negro to Mr. Smith, to settle?—I think I have. The question sent by Mr. Cuming to me about Jack of Success I referred to Mr. Smith.

Is this letter in your hand-writing?—[Letter produced to witness marked (N° 11.)] Yes.

[The letter admitted in evidence and read.]

Did you ever recommend any of the negroes of Success to the prisoner to be baptized?—Yes, I did.

What were the qualifications upon which you recommended them?—General conduct as to the duty of the estate.

Were the negroes that regularly attended the chapel insolent or disobedient?—Some were insolent, and some obedient.

Were there more or fewer of such negroes disobedient, than obedient?—There were more obedient than disobedient. I refer to the whole gang, and also to them that attended the chapel.

Were the majority of those negroes who attended the chapel disobedient or obedient? (for I am now speaking of those only.)—The majority were obedient.

Would you have recommended a bad-disposed negro to be baptized?—No, I would not, if I knew any thing bad about him at the time.

Did not the hope of obtaining your recommendation for baptism stimulate them to good conduct?—I cannot say.

Sixteenth Day, 4 November 1823.

Is this letter in your hand-writing?—Yes.

[Letter (marked No. 12.) produced and read, dated 14th December, 1822.]

Did the prisoner ever send home to you a man who had absented himself?—I don't remember that.

Is this letter your hand-writing?—Yes, it is.

[Letter (marked No. 13.) produced and read, dated 12th April 1822.]

About how many negroes have you recommended to the prisoner for baptism?—I cannot recollect, I never kept any account of them, and it is impossible to remember them for seven or eight years.

Have you recommended many?—A good many.

Were you ever at Bethel chapel on a Sunday?—Yes, I have been.

Did you ever see there a larger congregation than the chapel could hold?—I have seen some on the outside of the chapel, but don't know whether the chapel could hold them or not.

What was the reason the people remained outside?—I don't know.

Did you make any observation, or remark to the prisoner concerning the crowd that was in or about the chapel the last time you were there?—I really don't recollect the last time I was at chapel.

Did you not on one occasion tell the prisoner that there were as many outside as inside of the chapel?—I may have told him so, but I don't recollect it.

Were you ever present in the chapel when money has been therein collected?—Yes, I was.

For what purpose did you understand was such collection made?—I understood it to be for the support of the Society to which the prisoner belongs, viz. the "African Society."

What do you mean by the African Society?—The London Missionary Society.

Did you contribute any thing, or give your name?—I did once or twice.

Did the negroes of Success who attended the chapel appear poorer or more miserable than those who did not attend?—There are very few Success negroes but who attend the chapel occasionally; I cannot point out any particular difference that I observed.

Do you remember there existing previously to the revolt a rumour among the negroes concerning the instructions which had been then lately received by the Governor regarding them?—The prisoner mentioned something of that kind to me some weeks previous to the revolt.

Did you never hear any thing about this report before the communication of the prisoner to you?—Never, that I recollect.

Did you previously to the revolt hear or know of any acts of the negroes by which they showed discontent and dissatisfaction?—I did not.

Do you know any thing of the behaviour of some of the negroes on Le Resouvenir about the period of which I have just spoken?—I know that ten or twelve of them (so the manager told me,) left their work two or three weeks previous to the revolt.

Did you communicate what you heard to any one?—I asked Mr. Smith, the prisoner, if he had heard it.

Be pleased to state Mr. Smith's answer, and all that passed between you and him when you asked him this.—He told me he did not hear that the negroes had left their work, and that he hoped it was not on account of the instructions said to have been received by the Governor from home; and that he knew some of them had an idea that their freedom had come out; that a number of them put the question to him; and amongst the first your man Quamina; that he always told them, no; that freedom had not come out, but something to better their condition, or some such expression.

Do you remember the prisoner calling upon you a short time before the revolt?—Yes.

Was he alone, or accompanied by any one?—Mr. Elliot was with him, the *missionary.*

Do you remember upon what day and in what month this was?—I believe it must have been in August, but I do not recollect the day.

Did you on that occasion tell the prisoner something that you had heard the head driver of Le Resouvenir say to the negroes?—I do not recollect whether I told him or not.

You said something just now about the head driver having told you something, what was it?—He told me that the negroes had been away, and he did not know what it was for; that they were turning out late that morning and the manager had ordered to punish them with a cat; and that he did not know whether it was on that account they ran away, or from their own bad hearts.

Was any one present during the whole of the conversation between yourself and the prisoner? if yea, who was present?—I have already stated Mr. Elliot.

Did you inform any one of what the prisoner told you concerning the inquiry of Quamina as to the instructions which had been received from home concerning the negroes?—Yes, I did; I told Mr. Cort of it.

Who is Mr. Cort? and what notice did he take of it after you told him?—Mr. Cort is the attorney of the estate; he went over to Mr. Smith with myself to inquire of him further of what Mr. Smith told me.

Did any, and what, consultation take place on this occasion?—When Mr. Cort went over, he stated to him what I had told him, and asked if it was correct; he said it was; Mr. Cort asked him if the negroes really had the idea that freedom was come out; he said, yes; and that several of them had put the direct question to him, and among the first Quamina of Success: Mr. Cort pressed him then to tell how the negroes came to know that; the

Sixteenth Day, 4 November 1823

the prisoner said they might hear it in various ways; for instance, negroes could hear it from sailors when they came down from estates with produce, that sailors would introduce into their songs that they were great fools to be slaves; that they could also hear it from hucksters in town: Mr. Cort still pressed him further if he knew of any other person that told the negroes any thing about it; he declined giving a direct answer to that, as he did not wish to criminate any one; he also told Mr. Cort that he was thinking of telling the negroes from the pulpit that the idea of freedom was erroneous, and to tell them what he believed it was: Mr. Cort told him he thought it would be as well not to take any thing of that sort upon himself, that it might be exaggerated to his own prejudice; and I think Mr. Cort recommended, if he did mention it, to mention it to the proper authorities, but I am not certain. Mr. Cort also stated to him the reason why he supposed the court of policy did not do something previous to that; that one of the members of the court of policy was sick, and another, I believe, out of the country; that they were then sitting, and that he was sure something would be done very soon in the instructions said to have been received from Government.

What rank did Mr. Cort and you, at that time, hold in the militia?—Mr. Cort, I believe, was second lieutenant, and I was serjeant.

(Questions by Prosecutor.)—What were Quamina and his son Jack on the estate?—Quamina was head carpenter and Jack was head cooper.

Were not all the negroes of Success engaged in the revolt?—I believe they were.

For what period of time did the negroes of Le Resouvenir leave their work?—I don't know when they returned.

Was the communication the prisoner made to you respecting Quamina the only one?—Yes, the only one; he made it twice.

(Questions by the Court.)—Were the Jack, and Quamina, and Grace, and Ben, whose misconduct you mention in the letters read to the court, attendants on the chapel?—I believe they were.

Did Quamina, Jack, Bethney, Britton, Dick, Frank Hamilton, Jessamin Quaco, Ralph, and Windsor, belong to Plantation Success at the time of the revolt?—Yes, they did.

Did any of them attend the chapel?—The whole of them occasionally, except Ralph.

Have they all been tried by a court martial, except Quamina, for being actively engaged in the late rebellion?—I believe they have, but am not quite certain; I have been present at Jack's, and Ralph's, Befney's, and Dick's trial, also Jessamin's.

What became of Quamina?—He ran away;—was shot in the bush, and is now hanged in chains in front of the estate.

Who were the most active of the insurgents on Plantation Success?—Richard was the most desperate character I have seen there; Befney was very active; Jessamin, and all those who have been tried, except Quamina and Jack, whom I did not see do any harm; they were keeping the rest back, and preventing them from doing me any injury.

Was not Quamina a reputed leader in the revolt?—I heard he was such, but I did not see it.

Was the conversation with Mr. Smith and Mr. Cort in your presence after the 25th of July?—Yes, it was.

Did he tell you he himself had told Quamina what had come out regarding the whip?—He did not; he only said that he told him that something had come out to better their condition.

Did you make a special report to Mr. Cort of what Mr. Smith told you about Quamina, or did you mention it in casual conversation?—I mentioned it in course of conversation.

John Hamilton, duly sworn.

4th Evidence.

What is your name, and were you manager on Plantation Le Resouvenir in November and December 1819?—John Hamilton; yes, I was.

Do you remember any cases of small-pox among the negroes of that estate at that time?—I do.

Are the contents of this letter your own diction, and are the facts therein stated true? [Letter produced, marked No. 9.]—They are; it is my hand-writing; I have signed it, and will stand to it.

Where were the infected negroes placed?—On the plantain walk of the estate a-back.

How far was the place where they were from the chapel?—About 1,400 or 1,500 roods.

Were the infected negroes in a house, if yea, what became of it?—A temporary house was erected for them, and when the infection was supposed to be gone, Dr. M^cTurk then the medical practitioner of the estate, went a-back in my absence with an overseer, and had it burned.

After that house was burnt, were you aware of any other of the negroes having the small-pox?—I was not myself, but doctor M^c Turk, the medical practitioner, was the best judge of that.

Did you ever hear any conversation between doctor M^c Turk and Mr. Smith concerning doctor M^cTurk's sending a circular to the planters to prevent their negroes coming to chapel?—I recollect a conversation that took place in my house betwixt Dr. M^cTurk and Mr. Smith, but not about the circular, that I recollect.

Did Dr. M^cTurk, by words or manner, sneer at the prisoner?—I do not recollect; there was a disagreeable conversation between them, but it is a long time ago, and I cannot remember.

Sixteenth Day, 4 November 1823.

Did he ridicule the idea of the negroes being instructed in religion?—I don't recollect that he did; he found fault with Mr. Smith for opening the chapel before the Fiscal's order was fulfilled.

Was any certificate given concerning that conversation?—I signed a certificate concerning that conversation.

Was that certificate sworn to?—No, sir.

Did Dr. Mᶜ Turk in that conversation say that he never had but one opinion of religion, or words to that effect?—I really cannot remember, it is so long ago.—I recollect Dr. Mᶜ Turk finding fault with Mr. Smith for opening the chapel to strange negroes. Mr. Smith said, he did not care about opening the chapel, as he was not paid by the head for preaching to negroes.

Have you never told any one that you recollected these things?—Not latterly, I believe.

From the manner and language of the prisoner and Dr. McTurk, was it not evident that they were quarrelling during the conversation?—There was improper language passed on both sides.

Were you in the habit of attending the prisoner's chapel?—Sometimes.

Did you ever see more people there than could get inside the chapel?—Yes, often.

Did you ever see the negroes throw up money in the chapel?—Yes.

At what hour was the noon service commonly concluded?—At 2 o'clock.

Did you see Mr. Smith the Sunday evening before the revolt?—I did.

Where was he when you first spoke to him that evening?—Walking in the Middle Walk: I was walking down, and he was walking up with his lady.

What middle walk do you mean, and by "up and down?"—Plantation Le Resouvenir. I mean I was going towards the water side, and Mr. Smith was going from it; there was another gentleman along with me.

Is the middle walk where you saw the prisoner in front or back of the house on Le Resouvenir?—In front of the house and all the buildings.

What time in the evening was it when you saw Mr. Smith?—About 6 or ½ past 6 o'clock; it was in the gloaming.

Did you address the prisoner, or accompany him?—His lady asked us to go into the house, and we went.

How long did you remain in the prisoner's company on that evening?—About an hour, to the best of my recollection.

Did you see the prisoner on the evening of the revolt?—I did.

Where did you see him?—In the Middle Walk in the front of the house.

What time was this?—About ¼ or ½ past 6 o'clock in the evening.

Did any thing particular happen on the estate that evening?—Yes, a revolt.

At what time?—About the same time, ½ past 6 o'clock in the evening.

Did you call out the name of Mr. Smith at that time?—Yes, I called him to my assistance.

Did he come when you called him?—He did.

Did you hear what the negroes said to him, or said in his hearing?—I did hear some conversation between him and some of the negroes, 5 or 6. I heard them persuade Mr. Smith to go to his house; they wanted the manager, and not him. Mr. Smith persuaded them not to trouble the manager, or any white person on the estate.

Did you hear Mr. Smith order them, or instruct them, or did he exhort them to be quiet?—He exhorted them to be quiet.

Did you consider the gang of Le Resouvenir, in general, a religious gang?—Far from it.

Were they punctual in general in their attendance at the service in the chapel?—A few were, but not generally speaking.

Were you not informed by captain Simpson on Monday the 18th August of the intended revolt?—I was.

What time were you so informed, and did you inform the prisoner of what you had heard?—I was informed on the Brick-dam in town by Captain Simpson, between one and two o'clock. I did not inform the prisoner.

Whilst residing as manager on Plantation Le Resouvenir, did you inform the prisoner of all official orders which were sent to you by the burgher captains and constituted authorities?—I did not.

The Court then adjourned till the following day at ten o'clock.

Seventeenth Day, 5 November 1823.

Seventeenth day, Wednesday, 5th November.

THE Court met pursuant to adjournment.

John Hamilton's evidence, continued.

(*Questions by prosecutor.*)—Did you hear the prisoner, during the conversation at your house which you had with Doctor McTurk, say any thing about the influence he had on the negroes minds?—I do not recollect.

Is this your handwriting and signature?—Yes.—[Document (N°. 14), produced and read.]

Is that the certificate you alluded to yesterday?—Yes, it is.

When did you return to Le Resouvenir, after receiving the communication from Captain Simpson?—About three or four o'clock afternoon.

What was that communication?—He asked me if I was going home, I said I was not; I had

Seventeenth Day, 5 November 1823.

I had just come to town, and had some business to do previous to going out of town; I had also promised a gentleman, a friend of mine, to dine with him. He advised me to go home as soon as possible, as something was likely to occur on the coast that evening. That was all that passed between us to the best of my recollection.

When you called to the prisoner that same evening of the revolt, had he been walking out for any length of time previously?—I do not know how long Mr. Smith was out walking; when I first saw Mr. Smith, he was coming towards the buildings from the water-side.

In going from his house to the water-side, must he not pass near your house?—No.

At what distance is the residence of Mr. Smith from yours?—I suppose 100 paces.

At the time you called to him, were not the negroes round your house?—They were, and in the house.

Can you then positively take upon yourself to say, that it was not later than half-past six when you called to the prisoner?—I cannot exactly say; it must have been somewhere from that to seven

(*Questions by the Court.*)—What distance was Mr. Smith from his house when you met him on Sunday evening?—From 100 to 150 roods, I suppose.

What distance is it from Mr. Smith's house to Success Building?—About 600 to 700 roods, I suppose.

Do you know if Quamina of Success was concerned in the revolt which took place on or about the 18th of August last, and what time did you gain your information of his being so engaged?—I did not know, until informed at three o'clock by Mr. Mackie, manager of Montrose, on my way home on Monday, who informed me that he had seen the letter from Quamina to Mr. Simpson's boy Joe.

Did you receive an answer to your letter, addressed to Doctor M'Turk, dated 19th December, 1819, relative to the small-pox on Le Resouvenir estate, if so, did that reply acknowledge your opinion of the disease being eradicated, to be correct?—I cannot recollect.

Did you ever mention to the prisoner what Mr. M'Kay told you respecting Quamina?—I never did.

John Thomas Leahy, Lieutenant Colonel 21st regiment, duly sworn. 5th Evidence.

Do you remember the revolt of the negroes which broke out on the east coast of this colony in August last?—Yes.

Had you any duty to discharge on that occasion?—I was sent up the east coast on the evening of the 19th, in consequence of the revolt of the negroes.

Did you come up with or meet any of the revolted negroes?—I came up with them at Bachelor's Adventure, or rather met them.

Had you any, and what conversation, with the revolted negroes?—I had, on the morning of the 20th at Bachelor's Adventure; they assembled in great force, and took up a position, some on the bridge on one side of Bachelor's Adventure, and some on the bridge on the other side; they were armed with guns, fire-arms, cutlasses, muskets and pistols; the men under my command stood at their arms, and I went forward to the bridge to speak to them, and try to persuade them to lay down their arms and return to their work. I was conducted to the party on the right by some men, who promised that nothing should occur to me; after conversing with that party, they conducted me to the body assembled on this side of the estate; the negroes spoke differently as to what they wanted, some wanted three days, and the Sunday to go church, some wanted two days, and the Sunday to go to church; some said they wanted their freedom, and some wanted to tie me up as there were prisoners tied in the yard. I explained to them that I would use my exertions with General Murray to obtain for them part of Saturday, and of course Sunday to go to church, but they must first lay down their arms. Further, some of them said that if they did ask leave to go to church on Sunday they got punished for it, or got cotton to gin, or the middle dams to clear the grass away from; that when they complained of it, they were told by doctor M'Turk it was the Governor's orders, and when they spoke to Mr. Spencer, he said it was the Fiscal's orders; I told them that of course they could not come to town as it was martial law, but I would mention the circumstance to the General, and I hoped they would lay down their arms; Jack, Telemachus, and Seaton, and Tom Gibson, I think, promised to communicate to the rest of the negroes what I said I would tell the Governor, and they went away for that purpose, and I returned in half an hour afterwards. Seeing they were not inclined to lay down their arms, I went out again, and requested some of them I met out on the road to tell Jack or Tom Gibson, or some of them who were about me, to come and tell me why they did not lay down their arms; they were not forthcoming, but the people who then came up and addressed me said they wanted to be free; in consequence of which I marched out the troops for the purpose of dispersing them;—that is all I know.

Did you not make some memorandum or other, in writing, of what the people had told you?—I did; and I have related, as far as I can recollect, the substance of it; but I have since destroyed it as useless.

Was there no other grievance stated by the negroes except those which you have stated?—None, that my memory will allow me to recollect, more than what I have already stated.

Did you show the memorandum to any one before you tore it up?—Yes, I did; I showed it to the other officers who were with me at the house of Bachelor's Adventure.

Who were those officers, or if you do not remember, what companies were there?—Captain Stewart was there with his company; captain Appelius with his company; lieutenants

Seventeenth Day, 5 November 1823.

Peddie, Booth, Anstruther; I believe lieutenant Peddie saw it; captain Appelius and lieutenant Booth; but I am not quite certain if lieutenant Anstruther, or captain Stewart saw it; Mr. Richard Reid was there also, and saw it.

Did the negroes on that occasion, at Bachelor's Adventure, say any thing about the prisoner?—I don't think I heard the prisoner's name mentioned until I returned to town.

(Question by the Court.)—Did the majority of the negroes, with whom you conversed in the first instance, demand their freedom?—At first there was more demand for freedom and three days, than any thing else; but latterly, when I came out again, they were all for freedom, and all of them dwelt considerably on going to chapel on Sunday.

6th Evidence.

John Reed duly sworn.

What is your name, calling in life, and place of residence?—John Reed, a planter, residing on the East Coast.

Is this your hand-writing?—It is. [Document (N° 15) produced and read.]

Did you send the paper or letter just read, or deliver it to the prisoner?—I delivered it to the prisoner.

Where were you when you so delivered it?—I was on my sick bed at Dochfour. The prisoner intruded himself at my domestic board, even at my sick bedside; asked and obtained permission to erect a place of worship on disinterested though legal conditions.

How many times was the prisoner at your house?—I think three or four times.

Do you remember at what time of day, and on what occasion did the prisoner go first to your house?—It was early in the morning, for the purpose of obtaining leave to erect a place of worship.

Where did you, on that morning, meet with the prisoner, and did you ask him to stay breakfast, or did he remain without invitation?—I met him on the road leading to the estate and I believe I asked him to stay breakfast.

Did you present him with the deed of gift on that occasion?—I did not.

Did you promise him to consider of it, and let him know if he came again?—I did.

What reason did the prisoner assign for wishing to obtain the piece of land for the erection of a chapel?—For the purpose of benefiting the negroes in that neighbourhood, by his presence amongst them.

Did the prisoner not also say that it would save the negroes from walking so far, which was a subject of complaint among some of the planters?—He said so.

Did any and what conversation pass between you on that occasion, touching or concerning the probability of his Excellency's leave being obtained?—My recollection does not serve me as to the conversation that passed between us respecting it.

Did you give it as your opinion that his Excellency would not grant the leave desired?—I do not recollect that I did.

(Questions by the Court.)—Had you any cause to withdraw your permission respecting the erection of a chapel at Dochfour, and if so, state it?—My permission for the erection of a chapel depended on his Excellency's approval; and his Excellency was pleased to disapprove of it in consequence of complaints made against the prisoner.

What do you mean when you say the prisoner intruded himself?—I was unacquainted with the prisoner before, and on one occasion he brought Mrs. Smith along with him; perhaps I should not have deemed it an intrusion but for his subsequent conduct.

Did the prisoner go into your sick bed-room without being asked?—No, he did not.

7th Evidence.

The Reverend *W. S. Austin* duly sworn.

What is your name, profession, and where do you reside?—Wiltshire Staunton Austin; my profession, a minister of the Established Church; my residence George Town.

Where do you officiate?—At St. George's church, the only place of public worship of the Established Church in George Town. I am also chaplain to the garrison.

Of what kind of persons does your congregation consist?—At morning service the respectable inhabitants of the colony, white, free coloured, and very few slaves; in the afternoon we have few whites, the respectable free coloured population to a greater extent than in the morning, and a considerable number of slaves, and they average, perhaps, about three hundred slaves, principally domestics.

In what manner do you read the Scriptures to them; i. e. do you select chapters, or do you read the chapters consecutively?—In the morning service I read the chapters pointed out by the Church of England; in the afternoon I follow the example of my predecessor in reading the Bible through. I must observe, however, that I occasionally omit some chapters. I read Ostervald's explanation of the chapters, the translation of which is sanctioned by the Society for the promotion of Christian knowledge.

Is public teaching alone sufficient for the instruction of the uneducated slaves?—Certainly not; in my humble opinion, I should consider it almost the least essential part of a minister's duty, at least, with respect to that part of the population.

Can any minister of the Gospel properly discharge his sacred duties without having some other intercourse with his congregation besides public teaching?—I have already answered that question.

Will you be pleased to state what other intercourse you consider necessary?—I consider that familiar intercourse between a minister and his parishioners must exist, particularly the more ignorant part of them, as would enable him to explain in a more familiar manner than he could do in a public discourse, many observations which he may then deliver; it would be impossible to apply a moral lecture, for instance, to the case of every individual there present; it would be subject to a variety of objections; an individual with whom he might privately converse would feel offended at being publicly reprimanded; were a minister to deny access to such humbler parts of his congregation as would approach him, he would most effectually, I think, unless under a miracle, thwart the object of his public discourses. The spiritual wants and feelings of the humbler parts of my congregation can only be ascertained by personal application and intercourse, and I deem that one of the most important of my ministerial duties.

Have you ever been applied to by any of your congregation to settle disputes between any of them?—Frequently, I have settled disputes between mother and daughter, father and son, and in some instances, between master and slave.

Had you ever any Bibles sent out to you by the Bible Society?—Never.

Do you know whether Mr. Straghan, your predecessor, had any Bibles sent out to him by that Society?—I am not certain.

Do you remember the revolt which occurred in August last?—I do.

Did you go up the coast on that occasion?—I did.

Did you see any of the revolted negroes, if yea, did they say any thing particular to you?—I saw many of the revolted negroes in company with Lieutenant Peddie and his party; I met two or three on Monday night. On Wednesday morning about six o'clock, I disembarked in a schooner on the coast opposite or nearly opposite Plantation Lowlands; I was on my way to Haslington. I met a great number of the insurgents, they were induced to come to me, principally, I believe, by their ascertaining who I was. I reasoned with one or two of the more intelligent, stating, that I was shocked at what had occurred, and came up the coast with a view of preserving the lives of my fellow creatures. I was anxious to ascertain the cause of such extraordinary conduct, and was particular and minute in my inquiries. I had received an impression, that the prisoner, Mr. Smith, was highly instrumental to the insurrection, and proceeded to inquiries. A variety of reasons were given, which I do not consider necessary to recapitulate, further than as they apply to the prisoner I must add, that in no one instance among my numerous inquiries, did it appear, or was it stated, that Mr. Smith had been in any degree instrumental to the insurrection; a hardship of being restricted in attendance on his chapel was however, very generally, a burthen of complaint

Will you be pleased to state the other reasons; as you have said the restriction from attending Mr. Smith's chapel was one?—The inquiry was either made by me, or by some one in my presence expressing surprise that bloodshed had not marked the progress of this insurrection; the answer was, "It is contrary to the religion we profess, we cannot give life, and therefore we would not take it."

Do you remember any negroes coming to you previously to the revolt, from the East Coast?—Yes, I do.

What was the object of their coming to you?—To make a complaint, as they termed it, of the ill treatment they had received from an individual.

Will you state the nature of those complaints, and how many negroes there were?—The nature of the complaint was put in the shape of an appeal to me as minister, whether it was not a very great hardship that their religious duties should be interfered with; whether they ought to be prevented attending Mr. Smith's chapel; whether their evening meetings on their estates for religious purposes were improper; whether their reading of the Bible was improper, an instance being quoted by one of them of his Bible having been taken from him. I first inquired why they had not gone to the Governor or Fiscal with their complaint, they stated some case which had occurred, I think a short time before, of some complaints having been made and not having been attended to. In hopes of settling it in a quiet and amicable manner, I waited in Mr. Harper, and related all that had been said to me, requesting him to take it on hand and arrange it, giving as my reason, the probable indelicacy that there might be in my interference between master and slave, that master being a stranger to me. Mr. Harper declined doing so, giving me very satisfactory reasons. Their complaints, I must observe, were uttered in a very extraordinary style and tone; and after some consideration, I thought it necessary to report the circumstance to the Governor. The number of negroes was considerable, I did not reckon them, but I imagine there were about twenty men and women.

Did you ever see any of those negroes afterwards?—Not one, that I am aware of, except during the insurrection on Thursday or Friday, when I saw two of them on their own estates.

Did they state whether they had made these complaints to the prisoner?—I remember asking them whether the prisoner was aware of the complaints, and had referred them to me, I cannot exactly charge my memory, but I think in neither case did they say the prisoner had influenced them to come to me. I believe I recommended them to speak to the prisoner on the subject, thinking, that as they represented themselves to be members of his congregation, he would have more influence in regulating their conduct than I should.

Did these complaints, and the manners of these negroes, give rise to any suspicion that any thing unpleasant might ensue?—I must say that I did feel serious apprehensions from that, combined with other circumstances, and I mentioned the same to the Governor.

What were those other circumstances upon which your apprehensions were founded?—A variety of little differences between the negroes and their masters, several reported differences between Mr. Smith and the managers and burgher-officers; several instances of the exercise of undue authority from masters to their slaves, that, particularly, of punishing them for their attendance at a place of religious worship; these, I must observe, were reports to me, not circumstances to the truth or validity of which I can bear witness.

Seventeenth Day, 5 November 1823.

Is it customary with you to administer the sacrament with the church doors open or shut?—Closed; to exclude those who are not communicants, and to prevent intrusion.

Will you have the goodness to look at the 41 and 42 verses of the 19 chapter of Luke, and say whether you consider that an improper text for a sermon?—I consider it one of the most beautiful texts in scripture.

Have you ever taken these two verses and preached from them as a text?—I am sorry to say I have not.

Is it not a text very often preached from?—I believe so; the passage is very frequently introduced in sermons, and I believe I have introduced them myself.

The Court adjourned until ten o'clock the following day.

Eighteenth Day, 6 November 1823.

Eighteenth day, Thursday, 6th November, 1823.

THE Court met pursuant to adjournment.

The Rev. *W. S. Austin's* evidence resumed·

(*Questions by the Prosecutor.*)—You had stated that some of the negroes complained of being prevented from attending divine service on a Sunday; was such a complaint ever made to you by any negro of your congregation?—Not to my recollection; what I stated was entirely in reference to Mr. Smith's chapel.

When was it that the negroes you have alluded to came to make the complaints stated in your evidence?—The date I cannot specify; it was about a fortnight previous to the Governor's proclamation respecting some attendance on the chapel, accompanied by a document from Lord Liverpool.

Do you refer to their language when you say that their complaints were uttered in an extraordinary style?—I do; one of the expressions made use of was, there was an attempt made to set down their religion, and that they would sooner die than give it up.

Did you see two negroes, Sandy and Telemachus, apparently engaged as leaders in this revolt?—I did see Sandy and Telemachus; and I think from some expressions they made use of, that they were men possessing considerable influence, or were actually leaders; I have since been convinced that they actually were leaders.

Did not Sandy speak to you about the restriction of the prisoner's chapel, and admit that this cause of complaint had been removed?—He did say words to that effect.

Was Sandy the man who said in your presence, they would not take life?—It might have been Sandy, but Telemachus is the man on whom I can more particularly charge it.

Have you ever conversed with any of the negroes during the revolt; with reference to it up to the present time?—Yes, I have.

Did any of these negroes ever insinuate that their misfortunes were occasioned by the prisoner's influence over them, or the doctrines he taught them?—I have been sitting for some time as a member of the Committee of Inquiry; the idea occurs to me that circumstances have been detailed there against the prisoner, but never to myself individually in my ministerial capacity.

(*By the Court.*)—Did you hear before the Board of Evidence any statement by the negroes to the effect of imputing their misfortunes to Mr. Smith?—I believe I have.

8th Evidence.

John Davies, duly sworn.

What is your name, where do you reside, and what is your profession?—My name is John Davies, I reside in George Town, and my profession is that of a Protestant Missionary.

Is it customary for the members of missionary congregations to pray extempore at the prayer meetings held in the chapel?—Yes.

Did you ever find it necessary, as a minister, to converse privately with any of the individuals of your congregation?—I have.

Of what class or classes of persons does your congregation consist?—Of free people and of slaves.

Do you often converse with the slave part of your congregation, and for what purpose?—I frequently converse with the slaves, and for the purpose of more familiarly instructing them in the doctrine and precepts of Christianity, and also to attend to such little differences as arise among the members of the church; and further, when they come to me respecting marriages, and differences which arise sometimes between man and wife.

Did you ever preach on Luke 19th chapter, 41 and 42 verses?—I may have done so, but I do not recollect.

Is it a text frequently made use of for a sermon?—Very frequently; some of the most famous sermons have been preached from that text.

What do you mean by famous?—Best known; most extensively known.

Is it customary for missionaries to collect money of their congregations to defray the expenses of lighting their chapels, and to purchase bread and wine for the Lord's Supper?—Yes.

Are you aware that any of the missionary congregations in this country were in the habit of contributing money to the missionary society?—Yes: I know my own does, and I believe those of my brethren.

Was that with the approbation of the Missionary Society at home?—Yes.

Did you ever receive any Bibles and Testaments from the British and Foreign Bible Society?—Yes, many.

Are

Eighteenth Day,
6 November 1823.

Are you acquainted with the handwriting of their Secretary, and are these three letters from that Society?—I have received a letter from the person who has signed one of the three now produced (marked Nº 16), and I believe it to be his handwriting.

[*The letter and invoice read—from G. O. S. H. Tarn—addressed to the Rev. Mr. Smith.*]

What are the instructions of the Bible Society to you, concerning the disposal of the Bibles sent to you?—Similar to those in the letter just read.

At what rate used you to sell them when the applicants appeared able to pay the full price?—Generally about one guilder for a shilling; but when unable, often at a much lower price. For instance, Bibles that cost, including charges, about *f.*18 sterling, I sold for *f.*15, when the exchange was as high as *f.*14. 10. Others at a lower price than that.

Do you know James Mercer, missionary, now of Trinidad?—Yes.

Did you and he ever make any attempt to obtain land for him to erect a place of worship in this colony, and if yea, when was such attempt made?—We did; and I conceive, but I am not perfectly certain, that it was in 1820.

Will you detail the ultimate success of the steps taken by you and Mr. Mercer to accomplish that object?—I know nothing of the ultimate success; I was in Europe at the time. As far as I had any thing to do with it, it failed.

Do you remember the prisoner and yourself calling upon Mr Cort to request his signature to a note of Mr Van Cooten?—Yes.

Did any, and what, conversation pass on that occasion?—Some conversation passed, but what I cannot recollect.

Was any thing said about the evening meetings in the chapel of Le Resouvenir once a week?—Yes; Mr. Cort objected to them; Mr. Smith replied he would give them up if the gentlemen on the coast would allow the negroes some other time for attending on his ministry; I do not recollect any thing further on the subject.

Did the prisoner say he would give up the evening meetings on Le Resouvenir if Mr. Cort would allow him to preach once a-week upon any of the four estates of which Mr. Cort was attorney?—To the best of my recollection, he did.

Did Mr. Cort consent to this?—The impression on my mind is, that he did not.

Were you ever present when money has been collected from the negroes at Bethel chapel?—I believe I have.

Do you remember any whites contributing in the chapel, and if yea, do you remember who they were?—I believe there were whites present, but who they were I do not recollect; I am not certain but Mr. Van Cooten was there.

The Court adjourned till the following day at 10 o'clock.

Nineteenth day, Friday, 7th November, 1823.

Nineteenth Day,
7 November 1823.

9th Evidence.

THE Court met pursuant to adjournment.

Bristol, a negroe, understands the nature of an oath; duly sworn.

Are you the Bristol who has been before examined on this trial?—Yes.

Were you regular in your attendance at the services in Bethel chapel?—I was.

Do you know Jack, of Success; and, if yea, was he a regular attendant at the chapel?—I do know Jack, but he did not attend regularly at chapel.

How often was Jack at the morning service?—Sometimes he did not come for two or three Sundays; I have seen him there very seldom.

Did he attend service on Thursday evenings?—Sometimes; very seldom.

Do you know Paris, boat-captain of Good Hope; and, if so, what sort of an attendant at the chapel was he?—I know Paris, of Good Hope; he very seldom attends chapel.

Was Paris baptized, or was he a Christian?—That I don't know.

Did you know Richard and Hamilton, Beffony or Bethney, Britton, Dick, Jessamine, Frank, Windsor, Ralph, and Quaco, belonging to Plantation Success; were any, and which, of them Christians?—I know them all except Quaco; none of them are Christians.

Did these people, or any of them, often attend the chapel?—Sometimes, but not often; I mean all of them.

Did you ever know any of the people who attended the chapel to beg wine of the prisoner or his wife, for their sick friends; and, if so, was it given?—I have known them to do so, when it was given.

Did you, at any time, hear the prisoner say, "if your master has any work for you to do on a Sunday, it is your duty to tell him Sunday is God's day?"—He did not tell us so; he told us if our master gave us any thing to do on a Sunday, we must do it; he never told us not to do it.

What sort of conduct was it for which the prisoner prevented members receiving the sacrament?—Sometimes they went to do their own work on Sunday; and some of them again went and did things which were sinful, such as taking away a man's wife.

Did the prisoner ever punish the negroes, who were members of his congregation, for running away from their masters?—Yes; if they happened to be members of the church they would not be allowed to come to the table any more.

Did the prisoner ever give you or the people any advice concerning your spending money at funerals?—Yes; he said if any body died, he told us that we must not buy hogs or fowls, but rather to use our money to buy mourning.

Did the prisoner ever say any thing to you about getting drunk at funerals?—Yes; he said

Nineteenth Day, 7 November 1823.

said we must not buy so much rum and other liquors to make people drunk when they come to funerals.

Do you remember the small-pox being on Le Resouvenir?—Yes.

What day was it that you first heard of its being there?—I cannot remember the day rightly now.

Was it on a Sunday?—I cannot tell.

Do you ever remember being turned away from the chapel, and not being allowed to remain in the service?—Yes.

On what occasion did this happen, and what was told you on that occasion, and by whom?—On account of the small-pox; Mr. Smith, the prisoner, told us that the doctor said that the small-pox was there, and that we must not come.

(*Questions by the Prosecutor.*)—Did you ever see the prisoner give wine to the negroes for their sick friends?—Yes.

How often?—I cannot tell.

To whom did you ever see it given?—I saw him give some to an old man named Appia, living at Van Cooten's, and some to Azor when he was sick; he lives also at Van Cooten's; he gave to others, but I don't recollect their names.

Where were you when you saw this?—I was at chapel.

Was it after the ordinance?—Yes.

Did you ever see any negroe punished by the prisoner for running away from his master?—Yes.

Who?—I saw York, of Success, for one, he is the only member I have seen punished; the rest are Christians, I can't remember their names; some Christians from Mahaica-side; can't remember their names.

How long ago was this?—It is almost a year now.

(*Questions by the Court.*)—How are they punished?—York is a member, and he would not allow him to come to the ordinance any more; the others, he said if they ran away they must not come to chapel.

In what manner were the hogs and fowls disposed of at funerals?—They killed them to eat.

10th Evidence.

Richard Elliot, duly sworn.

What is your name, place of residence, and calling in life?—My name is Richard Elliot, my abode Ebenezer Chapel, West Coast of Demerara River; my profession is a minister of the Gospel, and missionary.

Of what class of persons is your congregation composed?—I have two congregations, the one down the coast principally of slaves, and one in town in Cumingsburgh consists of slaves, white and coloured people.

In what order do you read and expound the Scriptures to your congregation?—Down the coast I read the Scriptures in rotation; in the Old Testament in the morning, and expound the chapter which is read. I then read a chapter in the New Testament, not in rotation; generally the chapter from which my text is taken.

What sort of communication do you find it necessary to hold with individuals of your congregation?—I find it necessary to converse with them frequently and freely about religion.

Were you ever at Bethel chapel when money has been collected for the Missionary Society?—Yes, I have been there repeatedly.

Did any white persons contribute on those occasions?—Yes, there were some.

Did you ever hear any of the planters of the East Coast speak of the behaviour of those of their negroes that attended the prisoner's chapel?—I have heard several speak of the negroes attending chapel conducting themselves generally better, and some of them I have heard spoken very highly of.

Do you remember the last time you visited the prisoner at Le Resouvenir?—Yes, I visited the prisoner on the 5th of August last.

How many days did that visit last?—Three days. I left Mr. Smith on the 7th of August.

Did you and the prisoner go any where together during your visit?—On the morning of the 7th, previous to my leaving Mr. Smith, Mr. Smith and I went to Success. I likewise went up the coast with Mr. Smith, and called on Mr. Hopkinson.

Did you see Mr. Hopkinson, and if yea, did any, and what, conversation take place relative to the religious negroes belonging to him?—Yes, we saw Mr. Hopkinson. Mr. Hopkinson was speaking of the religious negroes, and told Mr. Smith, some of his negroes attended his chapel. Mr. Smith said he believed not; or if they did, he did not know their name. Mr. Hopkinson mentioned the names of some of the negroes who attended the chapel. Mr. Smith inquired how those negroes that attended behaved; and Mr. Hopkinson said they behaved remarkably well; indeed he could not wish them to behave better.

Were you and the prisoner at the house of Mr. Stewart on plantation Success?—Yes, we were there on the 7th of August last.

After you left the prisoner's house to return home, when and where did you next see him?—The next time I saw Mr. Smith, the prisoner, it was in the street near the Gazette office; I think it was the Friday after the revolt.

Did you see him down the West Coast the week before the revolt?—Yes, I did.

How long did the prisoner remain on the West Coast?—I am not certain; Mr. Smith went

Nineteenth Day,
7 November 1823

went down on the Monday or Tuesday previous to the revolt, and I returned with him on the Friday.

Did you mention to any person on the West Coast that a report was among the negroes that their freedom had come out from England?—Yes, I mentioned it to Mr. Newton the burgher-captain.

Does Mr. Newton hold any other, and what, rank or station in this colony?—I don't know that he holds any other station; he is a planter.

Is he a member of the Court of Policy?—Yes, I believe he is.

Was any one present when you mentioned this report to Mr. Newton, and if yea, whom?—Mr. Smith was present; and I think Mr. Allan was present; but I am not certain whether Mr. Allan was present at the same time with Mr. Smith. I mentioned it to Mr. Newton several times.

Were you ever present at any interview between the prisoner and his honor the First Fiscal?—Yes, I was.

(*Questions from the Court.*)—Who informed you that a report was in circulation among the negroes that their freedom had come out?—I heard Mr. Smith state it to Mr. Stewart on the 7th of August last.

11th Evidence

Philip, a negro, understands the nature of an oath; was duly sworn.

What is your name, condition in life, and where do you reside?—Philip, a cooper, and live in Cumingsburgh, George Town. I am a free man.

Are you a member of Bethel Chapel, if yea, are you a constant attendant there?—I am, and I attend every sabbath, if not sick.

Do you know the prisoner, and if yea, how came you acquainted with him?—I do know him, and became acquainted with him by going up to hear him preach.

Did you ever on any occasion go to the prisoner for his advice?—I did.

Do you recollect any particular instance, and if yea, will you state what passed on that occasion?—When I was at the Kitty from a change of my owner, I felt the treatment very severe, and I went to complain to the prisoner, and when I went up to him, I laid my case before him; after Mr. Smith had given me knowledge, and I returned home, I found myself entirely in the wrong; and from Mr. Smith's advice to me, I became a faithful servant until I was sold.

What was the *advice* Mr. Smith gave you?—He told me a servant must be dutiful to his master and all that are put over him.

Do you remember any of the doctrines and duties taught you and the people by the prisoner?—I do. He told me, if my master sent me any where about his duty, that I must be very particular in seeing it done; and if I had not got this advice from Mr. Smith, the prisoner, I should not have been my own man this day.

Do you remember the prisoner calling up all the members, and asking them where they had been, and when they said their masters gave them work, he told them they were fools for working on a Sunday for the sake of a few lashes?—I do not know any thing of that; it did not happen in my presence.

Did you ever know of any extraordinary meetings of the members at the chapel?—No, I do not.

Were you at the chapel the Sunday before the revolt?—I was.

What time did you leave on that day?—At three o'clock.

Is it customary for any of the members to call in at the prisoner's house on the Sunday afternoon to bid him good bye?—I generally do it before I come away, but I do not see any others.

Do you leave before or after the others?—I leave before the others; I leave a good many in the church.

When you used to leave, how was the parson usually employed?—He generally takes his hat and goes right to his house, and I sit on the step when he comes down.

Did he catechise the people after the service is over; if yea, did you ever see him when you left?—That I cannot say; I have never seen it done yet.

The Court adjourned until ten o'clock the following day.

Twentieth day, Saturday, 8th November.

Twentieth Day,
8 November 1823.

THE Court having met pursuant to adjournment.

The negro *Philip*'s evidence was resumed.

(*Questions by the prosecutor.*)—When did the prisoner give you the advice you mention?—To the best of my memory, about five years ago.

Did your master after this continue to give you as much work as before?—He did.

When did you obtain your freedom?—I got my free papers about two months before this revolt began.

How did you obtain it?—When I was sold, a lady, named Mary Long, bought me, and she gave me time to work for that money back again, which she had given for me.

When were you sold to Mary Long?—At the Kitty vendue, about five years ago, to the best of my memory.

12th Evidence.

Jason, a negro;—understands the nature of an oath; duly sworn.

What is your name; are you a slave, or free; and where do you reside?—Jason; I was

Twentieth Day, 8 November 1823.

a slave at first, but on the death of my master I was made free. I now live on Plantation Turkeyen, with my grand-daughter. Mr. Van Cooten is my guardian, and takes care of me.

Do you know the prisoner?—Yes, sir.

Are you a member or deacon of Bethel Chapel;—I am a member and deacon.

How long have you been a deacon?—From the time that Mr. Wray first preached the Gospel.

What is your duty as a deacon?—My duty as deacon is to hand the bread and wine, as also to make people, who are wishful of being baptized, sensible; if any of those who are baptized are wishful of becoming members, or are wishful of coming to the sacrament, it is the duty of the deacon to teach them those things which they require; after that, it is the study of the deacon to go round to collect the sums, half a bitt from one, and a bitt from another, as they can afford, for the purpose of buying candles and wine; and further, to reckon the money correct. When I reckon the money, it sometimes amounts to *f.* 25, sometimes to *f.* 24, and sometimes to *f.* 23.

Where are these duties of making the people understand the meaning of baptism, and of being made members, performed?—In the chapel, always.

What were the doctrines and duties which the prisoner taught the people that used to go to the chapel?—The catechism for one. When we came to the chapel, the parson told us we were to believe in God, and that we were to obey our masters in all things; that we were not to steal, nor to lie, as it was a great evil; that whatever our masters commanded us to do, we were to do it without speaking again.

Were you a regular attendant in Bethel Chapel at the morning service?—Yes, I was, except when sick.

How did the people know when it was time to begin the morning service?—The bell rang at seven o'clock.

Did any member of Bethel Chapel ever pay for his seat?—No.

Did you remember Mr. Smith reading about the children of Israel, and Moses and Pharaoh?—Yes, I heard that.

How long ago is it since you heard him read about those persons?—I can't recollect the time; I must speak the truth.

Is it a short time, or a long time since?—About two months before the negroes came to trouble the white people.

(*Questions from the Court.*)—How comes it that your recollection serves you now?—Because it was quite out of my thoughts before.

(*Questions from the Prisoner.*)—Do you know how much a month is?—Four weeks.

Did you ever hear the prisoner read about David and Saul?—Yes.

How long ago was that?—I cannot recollect properly; one year perhaps, but not two years.

Were there ever more people attending divine service at Bethel Chapel than could get in?—Yes.

How often was that the case?—Every Sunday.

Could you afford to throw up the money you did for the Missionary Society?—Yes, I could.

Did any body, to your knowledge, who could not afford, throw up money for that society?—I do not know of any.

Did you attend the services at Bethel chapel on *Thursday evenings*?—Yes.

What did the prisoner then read about?—About John the forerunner of Jesus Christ; that we might believe in God and Jesus Christ's soul.

Do you know Azor?—Yes, I do, he belongs to Van Cooten.

How long has he been a member of the chapel?—From Mr. Wray's time.

Is he well acquainted with the members?—Yes.

Do the people of Le Resouvenir attend the chapel as much as the negroes of other estates are in the habit of attending?—The other estates attend more than the Le Resouvenir gang.

Was it customary for any of the deacons or members to call in at Mr. Smith's house on a Sunday when they were going home, to bid him good bye?—Yes, they called, and said "*How d'ye* Massa," and "*good bye.*"

Did you attend to your duties as a deacon until the time of the revolt?—Yes.

(*Questions by the Prosecutor.*)—What is your trade, or what do you work at?—When I was with my master, I was a driver; but since I have got my freedom I have been a *Yager.*

Can you recollect the time when the prisoner told you what you have stated about obeying your master?—He told me that at all times, and frequently.

Was the bell rung to call the people to the Thursday evening service?—No.

(*Questions by the Court.*)—Were you at chapel the Sunday before the revolt?—I was.

Can you read?—No.

Were there many people present, more than usual on that day?—Yes, there were more.

Previous to your going to chapel on Sunday, were you told that there would be a great many people there?—No.

13th Evidence.

Mary Chisholm, free woman, of Success, understands the nature of an oath; duly sworn.

What is your name, place of abode, and calling in life?—Mary; I live at Success; I make bread occasionally, and am free.

Were you a member of Bethel Chapel, if so, how long have you been a member?—Yes; a length of time before Mr. Smith arrived here.

Could

Twentieth Day,
18 November 1823.

Could any of the members of Bethel chapel read before Mr. Smith came?—Yes.

Have you any slaves of your own; and did they attend on the prisoner's chapel?—I have; and they did attend the prisoner's chapel.

Had you ever any fear that the prisoner's instructions would make your slaves dissatisfied with you as their mistress?—No, I never had any fear of that.

Did you attend the Sunday morning services?—Sometimes.

Were you when you attended, attentive to the prayers offered up by the deacons and members on those occasions?—Sometimes I was.

When you were attentive did you hear any thing particular in those prayers?—Yes, I heard them pray for the world at large, the King, and their master, and for themselves, their children, and every body.

Were persons in the habit of coming in during the prayers of the deacons?—Yes.

Did you hear the prisoner read about Moses delivering the children of Israel from Egypt?—I have heard Mr. Smith read it some time back, not long ago, but I cannot remember the time.

Can you form any idea how long ago it is since you heard him read about Moses delivering the children of Israel from Pharaoh and Egypt?—No, I cannot rightly say.

Is it a month or two months, or a year, or longer or shorter than a year?—I cannot rightly say how long it is.

What did you last hear the prisoner read about?—To my best knowledge, I think he read, Luke, the Sunday before the rebellion.

Did you hear the prisoner read the history of David?—Yes.

Do you remember what he read about David?—He read about when Saul pursued after David; one night Saul dropped asleep, and David came over to him with his men, and they took away his spear, and his water-cruise, and when Saul rose up, David hallooed to the men of Saul to come for the spear. Another time, David cut the skirt of Saul's coat; then the men of David said they must slay Saul, and David said, God forbid that they should put their hands upon the Lord's anointed.

Were there any comments, remarks, or reflections made by the prisoner on what he read, if yea, what were they?—Yes; he remarked what a good man David was not to revenge upon Saul; when he had it in his power to take his life he would not do it. On one of the members observing to the prisoner, why David did not slay him, the prisoner replied, "it was better to leave him to God's mercy, to do with him as he pleased."

How long is it ago since the prisoner read about David and Saul?—Not very long, I cannot say, exactly.

Did you ever hear the prisoner read about any thing else, if yea, what?—Yes; I remember a man had a piece of land, and the King wanted it; he wanted to exchange the land, or buy it for money, the man would not sell it; and the king's wife borrowed the king's seal, and sent to his officers, saying, put a guard over such a man; and to say that the man had blasphemed God and cursed the king; and then he was stoned to death for so doing. And his wife said, rise and take possession of the land, for the man who would not sell it was dead; and when the prophet met with the king going to take possession of the land, he inquired of him, "have you killed, and are you now going to take possession?" and the king said unto the prophet, "my enemy, have you found me out."

How did the prisoner apply this story?—He read it, and then we asked for remarks upon it. Mr. Smith said, if we did any thing bad, God would always find us out; and that God sent this prophet to tell the king that he would punish him for taking away the man's land; and that if we did any thing bad, if we did not suffer for it ourselves, our children or our grand-children would suffer.

Did you notice any thing particular in the sermon on the Sunday before the revolt?—It was something about Christ's going through Jerusalem; I cannot say, exactly.

Were there any whites present at that sermon?—I believe there were.

When the service was over, did the people go away directly, or did they loiter about the chapel any time?—They went very quick away.

Do you know a woman named Dora, who was a member of the church?—Yes.

Had you any thing to do with her on the Sunday before the revolt, and if so, what was it?—Yes, the Sunday before that, Mr. Smith turned her out of the chapel, and she got me and another free woman to speak to Mr. Smith for her.

Did the prisoner speak to Dora, if yea, where?—Yes, he did in the vestry.

Had you to wait any time before the prisoner was ready to converse with her?—I had to wait while the prisoner went to his house and got some refreshment.

How long did the prisoner remain at his house?—About a quarter of an hour.

When he came back, did he converse with you and Dora immediately?—I think there was one or two more people to whom he spoke, and when he had done, he spoke to Dora.

Where were the other people to whom the prisoner spoke, before he spoke to Dora?—In the chapel.

When the congregation broke up on the Sunday afternoon before the revolt, did you see Quamina, of Success?—Yes, I saw him come out of the chapel, follow the congregation, and go towards Success side.

Where were you at that time?—I was in the chapel.

Where was the prisoner at that time?—He was in his house.

What o'clock was it when the prisoner left off conversing with Dora that afternoon?—Between three and four, I believe.

Twentieth Day, 8 November 1823.

Did all the conversation between Dora, and yourself and the prisoner, on that afternoon, pass in the vestry?—Yes.

After you saw Quamina follow the congregation, where did you go?—I was in the chapel when Quamina followed the congregation, and after that I went home.

Where did you go from the time that you saw Quamina follow the congregation, to the time Mr. Smith spoke to you and Dora?—I was in the chapel.

What time was it that you went home?—Between three and four, I believe.

After you saw Quamina follow the congregation, in what part of the chapel were you?—I was sitting down at the side of the chapel, near the road, next to the Jalousie.

From where you sat could you see any body go into the parson's yard or house?—Yes.

Did you sit there all the time the parson was in his house?—Yes, I did.

Why did you sit there?—I was waiting there for the purpose of seeing Mr. Smith about the woman; I had no where else to go.

Did you see any body go into Mr. Smith's yard while you sat there?—I can't say rightly if any body went in or not; I saw some women pass through the yard.

The Court adjourned until Monday the 10th instant.

Twenty-first Day, 10 November 1823.

Twenty-first Day, Monday, 10th November, 1823.

The Court met pursuant to adjournment.

Mary Chisholm's evidence resumed.

(*Questions by the Prosecutor.*)—Can you read?—I cannot.

How many slaves have you got?—Five.

What are their ages?—There is a little girl about eight years old; two stout women, an old man I bought lately, and a girl who is pregnant now with her first child.

Were there more people at chapel on the Sunday before the revolt than usual?—Yes.

Did they go quicker away from chapel than usual?—Yes, they went away very quick.

Did they go away towards Success side in a large body, or in small parties?—I cannot say; I saw them go away in a large body; when I saw them there were plenty of people going to Success side.

Were you in the chapel or the vestry when you saw Quamina follow the congregation on that day?—I was in the chapel.

Can you state positively the prisoner was not in the chapel when you saw the congregation go away?—They began to go away before he left the chapel, then he went to his house and they were still going.

Did you not see Quamina follow the congregation before the prisoner left the chapel?—Mr. Smith was in his house when Quamina followed the congregation.

Did you see Seaton and Bristol at church on that day?—I cannot say for Seaton; but I saw Bristol follow Quamina.

Did not Quamina, the head deacon, usually go into Mr. Smith's house after chapel to wish him good bye?—I cannot say. I generally leave him there, and go home.

(*Questions by the Court.*)—Did you never see Quamina go into Mr. Smith's house after chapel?—Yes, I have seen him go there.

Did not Quamina go to Mr. Smith's house or yard from the chapel the Sunday before the revolt?—I did not see him. I don't know whether he went in my absence.

Did Quamina go into Mr. Smith's house or yard whilst you were waiting for him?—I did not see him.

Could he not have gone into Mr. Smith's house or yard without your seeing him?—In the place where I was sitting he could not have gone in without my seeing him, unless I had been looking in another direction. I cannot swear that I did not look any other way. I was conversing at the time with Dora.

Where was Dora at that time?—Dora was sittting down in the vestry; I was sitting at the window, and then I went in to Dora in the vestry.

What particular part of the chapel were you sitting in when you saw Quamina follow the congregation towards Success side?—I sat near the pulpit, to the left.

How long did you sit there before you went into the vestry?—I sat there till almost all the people had gone away from chapel.

How far did you see Quamina go?—I saw him till he passed the middle walk of Le Resouvenir, going towards Success.

Why did you watch him so particularly?—I thought it wonderful for him to go with the congregation, because he generally remained behind.

Where were you on Monday, the day of the revolt?—I was at Success until about two o'clock. I left there about two o'clock to come to town.

Before you went to chapel, did you hear the people say, or did you understand, that there would be a large congregation on that Sunday?—No; because where I live nobody lives, but me.

14th Evidence.

Charlotte, negro slave, understands the nature of an oath; duly sworn.

What is your name, to whom do you belong, and where do you reside?—Charlotte; I belong to Miss Mary Rose; I reside at North Brook.

Have you lived as servant with the prisoner; if yea, when?—Yes, I have; some time before Christmas last; I lived with him till he was taken and carried to town.

Were you mostly at the prisoner's house on a Sunday?—Yes.

Were you at the chapel the Sunday before the revolt?—Yes.

Were there a great many more people at chapel on that day than on any other fine Sunday?—There were not more people than always came.

How do you know that?—There is a bench made between Mr. Smith and Mrs. Smith, before the pulpit, and when there are a great many people I can never get my own seat.

Had you your seat on that Sunday?—Yes, I sat in my own seat.

Were there any white people at the chapel on that Sunday?—Yes, I saw two white men in chapel in the afternoon service. I don't know who they were.

Did you remain in the chapel until service was over?—I staid in the chapel until service was done, and then went to the house to get dinner ready.

Who cooked the prisoner's dinner on that Sunday?—I did.

At what hour did Mr. Smith dine on that Sunday?—Between 4 and 5 o'clock.

Where was Mr. Smith while you were cooking the dinner?—He was in the chapel.

How long after Mr. Smith came in from chapel was it before you carried in the dinner?—As he came from chapel I carried in the dinner.

Did Mr. Smith talk with any body after he came in from chapel that Sunday?—I saw some people go into the house; Quamina was one, and Peter; but I was in the kitchen, and I don't know what they had to say.

Was Bristol one of them?—Yes.

When they went away which of them went first?—They all came out together.

How long did you remain in or about the prisoner's house after dinner on that day?—About ½ past 5 o'clock I went to the negro-houses.

Did any body come to the prisoner's house during, or after, dinner, before you went to the negro-houses?—No, I did not see any body.

Had any body come during that time, is it likely you would have seen them?—If they had come by the front gate and door I could not have seen them.

When any negroes came to speak to Mr. Smith the prisoner, at which door did they enter the house?—Some of them come in at the back door: the people that are going along the road, and want to speak to Mr. Smith, enter by the front door; those that come out of chapel enter at the back door.

On a sacrament Sunday, when Mr. Smith first got up in the morning, what did he do?—I can't say.

At what hour does Mr. Smith come down stairs on Sunday mornings?—After the sun has risen; I cannot rightly say, but I suppose about seven o'clock.

After the morning service, on sacrament Sundays, is the prisoner occupied with any, and what people?—I don't know any thing about that.

Does he examine the people to see if they are fit to be baptized, or does he catechise them?—Yes; when people come to be baptized, and they are not fit to be baptized, he will not baptize them.

Does he catechise the people after noon service; if yea, where?—No.

Have you ever seen Mr. Smith with any people in the chapel after the noon service?—I have seen him stay sometimes with some plantation people.

Was this often the case?—Not often.

Do you know what Mr. Smith stayed with those people for?—No.

Did the prisoner's horse remain in the stable in the evenings?—He is loosed, and generally walks about the yard.

When was he loosed?—About five o'clock.

Was this always the case?—Yes.

Was there a great noise on Le Resouvenir on the Tuesday evening after the revolt?—No; I did not hear any noise.

Were you on Le Resouvenir on that evening?—Yes.

Did you ever keep any water to drink in the kitchen?—No.

Were you at the prisoner's house on the Monday evening of the revolt?—Yes, I was.

Did you see a man bring a letter; if yea, who was he?—I saw a man that belongs to Dochfour, (I don't know his name,) but did not see a letter.

When did that man go away?—He stayed a little while, and as he went out of the yard the sun began to get dusk.

Did you see Mrs. Smith on that evening?—No, not in the house; I saw her walking with Mr. Smith in the middle path.

Did Mrs. Smith say any thing to you?—She did not tell me any thing until the noise was made at Mr. Hamilton's house; she told me then to go and call Mr. Smith, but I was too much afraid to do so.

Did Mrs. Smith appear frightened?—Yes.

Where had she been, and where did she come from, when she told you to go and call Mr. Smith?—She came from Mr. Hamilton's house.

When did Mrs. Smith tell you to go to call Mr. Smith?—Mrs. Smith being alarmed at the noise, came from Mr. Hamilton's house, desired me to go back and call Mr. Smith.

(*Questions by the Prosecutor.*)—When Quamina and Bristol went to the prisoner's house the Sunday before the revolt, did they go immediately after chapel?—They came directly after church.

Was any one there besides Bristol, Quamina and Peter?—No; that I can't say.

Are you certain that Seaton was not there?—I did not see him.

Twenty-first Day, 10 November 1823.

Where were you when they came out?—I was in the kitchen.

Did you speak to any of them when they came out?—When they came out and went away I was getting some dinner for myself to eat, and I saw Bristol going, and I ask him to come and dine, but he refused, saying it was too late.

Was Quamina with Bristol at that time?—Yes.

Has not the prisoner a grass-cutter in his employ?—Yes.

(*Questions by the Court.*)—Were there not fewer people at chapel that Sunday than usual?—Just the same as always.

Were there any outside the chapel that Sunday?—Some were outside, but that is always the case.

Was not Mary Chisholm at Mrs. Smith's house after chapel on that Sunday?—I did not see her.

Is not the seat where you sit railed off from the great body of the chapel?—Yes.

15th Evidence.

The negro *Mars* understands the nature of an oath; duly sworn.

What is your name, and to what estate do you belong?—Mars; I belong to plantation Vryheid's Lust.

Are you a member of Bethel Chapel; if yea, are you regular in your attendance at the services in that chapel?—I am a member; and regularly attend unless when sick.

How long have you been in the habit of attending that chapel?—From the time that Mr. Wray came.

By what road had you used to go to the chapel?—By a road that Mr. Post made from our place to the chapel, and not the public road.

Is it still there?—They have broken it up.

Who broke it up?—The white people belonging to the estates through which the road passed.

Did you see more people at the chapel on a Sunday than could get in?—Yes.

Were you at the chapel on the Sunday before the revolt?—Yes.

Were more people there that Sunday than on the other Sundays?—Just the same.

Used every part of the chapel, including the vestry, to be filled with people on a Sunday?—Yes.

Did Mr. Smith a few weeks before the revolt make any observations to you about building a larger chapel?—Yes. He said that if he could get money enough from people's collections, he would put up a larger chapel, as the present one could not hold us. We said we would all set to and speak about it.

Did you ever give any money to the prisoner for the Missionary Society?—Yes.

After you had given the money did you ever feel that you wanted it back; or did you ever wish that you had never given it—No.

Did you ever find that the prisoner's reading or preaching made you unhappy, or dissatisfied?—It satisfied me.

Did it make you dissatisfied with your condition as a slave?—It did not; it made me satisfied.

Was it customary or usual for the principle or head people to go into the parson's house on a Sunday after service, to bid him good bye?—Yes, sometimes.

Do you know whether the prisoner used to catechise the people in the chapel after service?—No; before the service; only those who went to be baptized were catechised after the service.

(*Questions by the Prosecutor.*)—Had not the chapel been enlarged and repaired since the prisoner began to preach there?—Yes, they put a floor to it.

Was there not a gallery erected?—There was.

Did the members of the chapel throw up money to pay for these repairs, &c.?—Yes, they did.

(*Questions by the Court.*)—Was the gallery added before or after the conversation with the prisoner about building a larger chapel?—It was put there before.

The Court then adjourned until the following day.

Twenty-second day, Tuesday 11th November, 1823.

Twenty-second Day, 11 November 1823.

THE Court met pursuant to adjournment.

16th Evidence.

London, a negro slave, understands the nature of an oath; duly sworn.

What is your name, and to what plantation do you belong?—London; I belong to Plantation Brothers.

Were you a member of Bethel chapel; if yea, were you a regular attendant?—I was; and attended regularly.

Can you read, and who taught you?—I can read a little; Romeo taught me a little, and Mrs. Elliot taught me more, until Mr. Smith came.

Did Mr. Smith ever teach you?—No.

Have you a Bible; and if yea, do you use it in chapel?—I have, and use it in chapel.

Can you follow the parson as he reads the Bible from the pulpit; if yea, were you in the habit of doing so?—Yes, I can, and am in the habit of doing so.

Do you remember the prisoner reading about Moses delivering the children of Israel from Pharaoh, at the morning service?—I heard him, but very long ago, about two years.

What

Twenty-second Day, 11 November 1823.

What books of the Bible did he read last year, at the morning service?—He began with Leviticus, until Numbers, and then Deuteronomy.

What books did he read this year?—He read Kings, Samuel, Judges; he had not finished Kings.

Does Mr. Smith at the morning service read straight on, or does he ever turn back to read chapters over again which he had read before?—He reads it straight forward; he does not come back; he goes on before.

Were you at chapel the Sunday before the revolt?—Yes, I was.

Were there more people there that Sunday, than were usually there upon any fine Sunday?—No.

How many Sundays before the revolt was sacrament Sunday?—Two Sundays, including the Sunday before the revolt.

Did you learn the catechisms taught at the chapel?—Yes.

Are these the same?—[*Two catechisms produced* (Nos 17 *and* 18). *The witness being required by the Court to read a part of them, did so, and declared they were the same.*]

How often were you taught the catechism?—Every Sunday.

Was the congregation assembled when the catechisms were taught?—Yes.

(*Questions by the prosecutor.*)—Did not the prisoner read Exodus to you a few Sundays before the revolt?—No.

Did he read Joshua to you?—Yes, a little long before the revolt began, at the morning service.

What did you hear read in Joshua?—When Moses was dead, Joshua took his place, and God Almighty put him over these people.

Look at the eighth chapter, and state if he read that?—I did not hear him read the eighth chapter of Joshua.

Now look at the seventh chapter, and state if he read that?—No, I did not hear him.

Have you never read the eighth chapter of Joshua before to-day?—No, I did not, but I may have seen it, looking through the book.

17th Evidence.

Peter, a negro slave, understands the nature of an oath; duly sworn.

What is your name, and to what plantation do you belong?—Peter; I belong to Le Resouvenir.

Are you an attendant of Bethel Chapel?—Yes.

Were you at that chapel the Sunday before the revolt?—Yes.

Did you see Quamina, of Success, on that day?—Yes.

Where did you see him?—At Mr. Smith's house.

Were there any other persons present?—Bristol, Seaton, a boy named Shute, a field negro of Le Resouvenir, and Mr. Smith, were present, and with myself made six.

Did Quamina say any thing to the prisoner, if yea, what was it?—Yes. He said that they should drive all those managers from the estates to the town, to the courts, to see what was the best thing they could obtain for the slaves; then Mr. Smith answered, and said that that was foolish; How will you be able to drive the white people to town? and he said further, the white people were trying to do good for them; and that if the slaves behaved so, they would lose their right; and he said, Quamina, don't bring yourself in any disgrace; that the white people were now making a law to prevent the women being flogged; but that the law had not come out yet; and that the men should not get any flogging in the field, but when they required to be flogged they should be brought to the manager, attorney or proprietor, for that purpose; and he said, Quamina, do you hear this? and then we came out.

What did Quamina say in answer, when Mr. Smith said "You hear?"—He said "Yes, Sir;" that was all.

How long were you and Quamina, and the rest, at the prisoner's house?—We did not stop a minute.

Was Seaton with you the whole time at that conversation?—Yes.

Which of you all went out of the prisoner's house first?—We all five came out together.

Had Mr. Smith dined when you were at his house that time?—No; because he was sitting on a chair.

Was the table laid for dinner?—When we were inside the house the table was laid for dinner.

(*Questions by the Prosecutor.*)—Did Quamina state when they were to do what you state about driving the managers to town?—He did not tell the time.

Did you know of the meeting on Success Middle Walk?—Yes; on the same day I went to the meeting at the Success Middle Path from the chapel; and then came from the Success Middle Walk to Mr. Smith's house, to tell him about the thing. Quamina came to tell Mr. Smith they intended to drive the white people.

Was Charlotte, Mrs. Smith's servant, there? and if so, did she give Quamina any dinner?—She was in the kitchen, and gave Quamina dinner as we came out.

(*Questions by the Court.*)—Did you hear Mr. Smith say any thing about the Christians?—Nothing.

Did you hear Mr. Smith say any thing about the soldiers?—No.

Did you hear Quamina say any thing about Jack and Joseph?—No.

Did you hear their names mentioned?—No, he did not call anybody's name.

Twenty-second Day, 11 November 1823.

18th Evidence.

Bill, negro, understands the nature of an oath; duly sworn.

What is your name, condition in life; and where do you reside?—Bill Rogers, a tailor; reside in Cumingsburgh; I have bought myself, but am not manumitted yet.

Were you not a member of Bethel Chapel? If so, how long have you been a member?—I was; for about three years.

Can you read? If yea, who taught you to read?—I can read a little; I got it here and there; and had no particular instructor.

Have you a Bible; and if yea, were you in the habit of using it in chapel?—Yes, I have; and used it in chapel.

Did Mr. Smith teach you to read?—No.

In what order did Mr. Smith read the Bible at the Sunday morning services?—He reads a chapter, and then stops; next Sunday he reads another chapter; sometimes the succeeding chapter, and sometimes from another place.

Did he keep going forward, or did he go backward?—Forwards.

Did you ever hear Mr. Smith tell any of his congregation any thing likely to make them unhappy and discontented with their masters?—No, I never heard him.

Did you ever hear the prisoner tell the negroes "that if their masters had work for them to say that Sunday was God's day?"—No, I never heard him say that.

What time was it in general before the services were over on Sacrament Sundays?—Generally about four o'clock.

19th Evidence.

Nino, a negro, understands the nature of an oath; duly sworn.

What is your name, and to what estate do you belong?—Nino; I belong to Le Resouvenir.

Were you a regular attendant at Bethel Chapel on that estate?—Yes.

Can you read, and have you a Bible?—I have just tried to read, and have a Bible.

Where did you get it, and how much did you give for it?—I bought it from Mr. Smith, and gave *f*.3. for it; he charged me *f*.4. for it, but took *f*.3.

What was the usual price of the same sized Bibles?—They might give *f*.6. for such Bibles; I mean some people have given *f*.6. for the same sized Bibles for which I gave *f*.3.

(*Question by the Prosecutor.*)—What day did you buy that Bible?—It is so long ago I cannot recollect.

(*Question by the Court.*)—What are you on the estate?—A field negro.

The Court adjourned until the following day.

Twenty-third Day, 12 November 1823.

Twenty-third day, Wednesday 12th November, 1823.

THE Court met pursuant to adjournment.

20th Evidence.

Robert Edmonstone, duly sworn.

What is your name, calling in life, and place of abode?—Robert Edmonstone, a merchant in George Town.

Are you acquainted with Frederick Cort, and his handwriting?—I am.

Are these notes and letters in his handwriting?—They are.

[*Three documents, marked N° 19, 20, and 21, produced and read.*]

Are you acquainted with John Stewart, manager of Success, and his handwriting?—I am; and know his handwriting.

Are these notes in his handwriting?—To the best of my belief they are.

[*Nine documents, marked N° 22, produced and read.*]

Are you acquainted with John G. Abbott, late or at present manager of plantation Vigilance, and his handwriting?—I am not.

Are you acquainted with R. Murray, of Lusignan, and his handwriting?—I know Mr. Murray, but have never seen him write, although I have received letters from him.

Are these letters in his handwriting?—I believe they are.

[*Seven documents, marked N° 23, produced and read.*]

Were you acquainted with the late W. B. Panye, and his hand writing?—I was not, nor did I know his handwriting.

Are you acquainted with Morrison Jack, late manager of Lusignan, and his handwriting?—I could not swear to it.

Are you acquainted with L. Cuming, and his handwriting?—I am.

Are these notes in his handwriting?—I believe them to be so.

[*Two documents produced, marked N° 24, read.*]

Are you acquainted with James Todd, of New Orange Nassau, and his handwriting?—I am acquainted with him, but not well acquainted with his handwriting.

Are you acquainted with John Stewart, of North Brook, and his handwriting?—I am.

Is this note in his handwriting?—Yes.

[*Note produced and read, marked N° 25.*]

Are you acquainted with C. A. Van Grovestins, and his handwriting?—I am acquainted with him, but not with his handwriting.

Are you acquainted with L. Forrester, late manager of La Bonne Intention, and his handwriting?—I know him, but am not much acquainted with his handwriting.

Twenty-third Day, 12 November 1823.

John Spragg, duly sworn.

21st Evidence.

What is your name, calling in life, and place of abode?—John Spragg, a merchant in George Town.

Are you acquainted with Samuel Orford, late manager of plantation Industry, and his handwriting?—I am acquainted with him, but not much with his handwriting.

Is this note in his handwriting?—I believe it is.

[*Note produced and read, marked* N° 26.]

Are you acquainted with George Donaldson, late, or at present, of plantation Industry, and his handwriting?—No, I have no knowledge of him.

[*Fifty-seven documents produced and read, marked N° 27; these documents were admitted by the prosecutor, the proof of the handwriting dispensed with.*]

John Davies, Missionary, again called, duly sworn.

22d Evidence.

Are you acquainted with George Burder, secretary of the Missionary Society, if yea, is the signature, Geo. Burder, the signature of that person?—I am; to the best of my belief it is.

[*Letter of instructions from the London Missionary Society, produced and read, marked* 28.]

[Note. *This witness was allowed to be recalled at the request of the prisoner, simply to prove the handwriting of the documents just read, and marked N°* 28.]

Shute, a negro, understands the nature of an oath; duly sworn.

23d Evidence.

What is your name, and to what plantation do you belong?—Shute; I belong to Le Resouvenir.

Are you an attendant of Bethel Chapel?—Yes.

Were you at that chapel the Sunday before the revolt?—Yes.

Did you see Quamina of Success on that day?—Yes.

Where did you see him?—At the chapel.

Did you see him any where else?—Yes, I saw him at Success middle path, and I saw him after that come over from Success to our place, to Mr. Smith;

Did you see him at Mr. Smith's?—Yes, I saw him there, and was there myself.

Was any body, and who, present when you saw him at Mr. Smith's?—Seaton, Bristol, and Peter, with Quamina and myself.

Did any, and what, conversation pass on that occasion?—Yes; Quamina said to Mr. Smith he was going to drive all the managers down; and Mr. Smith told him, no; for the white people are doing many good things for you; and if you are going to do that—you must not do that, Quamina, I tell you; Quamina said, yes, I will see; and after that we all came out of the house from Mr. Smith.

Did Quamina say what he was going to drive the managers down for?—That they must come down, that they may have a good law to give them a day or two for themselves.

Was Seaton there all the time?—Yes.

Which of you went away from Mr. Smith's house first?—We all together went.

When the drivers flogged the negroes on Le Resouvenir, was the manager or overseer always present?—Sometimes they are there, and sometimes they are not at home.

(*Questions by the Prosecutor*)—How far is Success Middle Walk, where the meeting was, from the prisoner's house?—As far as from this to the old jail on the Brick-dam.

Were there many persons collected at the meeting, before you left it to go to the prisoner's house?—Plenty of people were there.

Were Jack, of Success, and Joseph, of Bachelor's Adventure, there?—Jack, of Success, was there, but I don't know Joseph, of Bachelor's Adventure.

Why did you go to Mr. Smith's after you had been in the Success Middle Walk?—Quamina sent Bristol to call me and Peter to go to Mr. Smith's house, to tell him they were going to drive all the managers.

Where did you go after you left Mr. Smith's house?—I went home.

Do you know where Quamina went?—He went over to his own place, Success. I saw him and Seaton go along together.

(*Question by the Court.*)—How long were you together in Mr. Smith's house?—I cannot tell the exact time; the time I have been before the Court is longer than the time I was with Mr. Smith; I was not long there.

Polly understands the nature of an oath; duly sworn.

24th Evidence.

What is your name, and to what plantation do you belong?—Polly; I belong to Mon Repos.

Were you an attendant of Bethel Chapel?—Yes.

Did Mr. Smith ever catechise the negroes in classes, in the chapel, on a Sunday?—Mr. Smith did not, but his lady did; I don't attend morning service.

Were the different estates people ever catechised together in the chapel after the noon service?—Mr. Smith catechises them when the time comes round in the year, but not every Sunday.

Do you mean that Mr. Smith, or Mrs. Smith, catechises the different estates negroes in the chapel on a Sunday, after the noon service?—Mr. Smith catechises the people after service, and Mrs. Smith before the service.

Did the people of your estate usually attend in time for the catechising before service?—Some of them; those that had time to come.

Why had not the others time to come?—Some of the people that were employed in the boiling-house had to wash it down, and some of the women had to carry megass.

Twenty-third Day, 12 November 1823.

25th Evidence.

Susannah, understands the nature of an oath, and was duly sworn.

What is your name, and to what estate do your belong?—Susannah; I belong to Le Resouvenir.

Were you an attendant of Bethel Chapel?—Yes, I was.

How is the top pulpit in the chapel made, *i. e.* when you are sitting on one side of the pulpit, can you see under the top pulpit to the other side of the chapel?—The pulpit is made round; yes, I can see under the top pulpit.

Do you remember the revolt?—Yes.

Where were you on the evening after it began, that is, Tuesday evening?—I was on the estate.

Did you hear any noise on the estate that same evening?—I don't think I heard any noise on Tuesday evening.

26th Evidence.

T. C. Hammill, a member of the Court, Lieutenant 21st Regiment R. N. B. Fusileers, late Government Secretary, duly sworn.

Have you ever seen this Petition before?—Yes, I have. [*Petition and order of the Governor produced and read, marked* N° 29.]

Was a second petition presented by the prisoner?—Yes.

Did the petitioner call often, and how often, for an order on the second petition?—He called often, but how many times I can't exactly say.

Did he obtain any order?—Not on the last petition, as far as my memory serves me.

The Court adjourned till the following day.

Twenty-fourth Day, 13 November 1823.

Twenty-fourth day, Thursday, 13th November.

THE Court met pursuant to adjournment.

27th Evidence.

Thomas Finlayson, duly sworn.

What is your name, calling in life, and place of abode?—Thomas Finlayson, merchant, in George Town, Demerara.

Are you acquainted with John George Abbott, manager of Plantation Vigilance, and his handwriting?—Yes.

Is this letter his handwriting?—Yes. [*Letter produced and read, marked* N° 30.]

28th Evidence.

Elizabeth, a negro girl, understands the nature of an oath; duly sworn.

What is your name, and to what estate do you belong?—Elizabeth; I belong to Industry.

Do you remember the evening of the revolt; if yea, did you see Mrs. Smith after she returned from Mr. Hamilton's house on that evening?—Yes, I do; I saw her when she came from Mr. Hamilton's house.

Was she alone the time you saw her when she returned, or was Mr. Smith with her?—Mrs. Smith came home first, she then sent Romeo to call Mr. Smith.

Did she go back herself again, or did she wait till Mr. Smith came?—Mrs. Smith went back to Mr. Hamilton's house.

Was Mrs. Smith frightened?—Yes, she was frightened; and when she came home she was crying.

When you saw Quamina go into Mr. Smith's house on Wednesday evening, did Mrs. Smith shut the door?—I did not see the door shut when Quamina went in.

Whilst Quamina was there, was the door shut or open?—It was open. I mean the back door of the hall?—I don't know any thing about other doors.

Where were you when you saw Quamina with Mr. and Mrs. Smith?—I was in the kitchen.

Did Quamina go in at the front door or back door?—I did not see him go in at the back door, but I saw him come out at the back door.

Had Mr. Smith prayers every night, if yea, where?—Yes, sometimes in the house, and sometimes in the church.

When prayers were in the house, was the front door usually shut or open?—Sometimes shut, and sometimes open.

Had Mr. Smith prayers the night that Quamina was there; if yea, was it before or after Quamina went away?—Yes, after Quamina went away.

29th Evidence.

Alexander Simpson, duly sworn.

What is your name, calling in life, and place of residence?—Alexander Simpson; I reside at Le Reduit, and am a proprietor of that estate, and Montrose, as also captain of the Demerary cavalry.

Do you know the prisoner, if yea, who arrested him?—I do; and I arrested him at the request of captain McTurk, communicated to me by Lieutenant Nurse, on the 21st August last.

Do you know upon what grounds the prisoner was arrested?—On Thursday the 21st I called with the cavalry under my command at Felicity, captain McTurk's post. I stated to captain McTurk that it had a very bad appearance that Mr. Smith, or Parson Smith, and his wife remaining on an estate with the negroes all to a man in a state of revolt; and that they could not remain there, his wife especially, in a state of safety, unless they were in collusion with the negroes so revolted. That as he, captain McTurk, was the burgher-officer

of

Twenty-fourth Day, 13 November 1823.

of the district it more properly came under his department to have them removed from the estate; but that if he would not do so, I would, by my own authority. Captain McTurk said he would have that done.

Was the prisoner required or wanted as a soldier?—I did not hear that he was, and not to my knowledge; he stated to me he could not serve in a military capacity.

When you arrested the prisoner, what was his behaviour?—He submitted immediately; he made use of no offensive language to me; he said, if he must, he would submit if I ordered him.

Were Doctor McTurk and the prisoner on good terms?—No; it comes within my knowledge they were not.—[*Eighty-four documents, being recommendations for marriages and baptisms were then produced and read, No 31, these documents were admitted by the prosecutors, the proof of the hand-writing dispensed with as before.*]

The Court adjourned until the following day at ten o'clock.

Twenty-fifth day, Friday, 14th November, 1823.

Twenty-fifth Day, 14 November 1823.

THE Court met pursuant to adjournment; when the Prisoner read the following OBSERVATIONS on the nature of the Evidence adduced:—

Mr. President, and Gentlemen,

I have closed my Defence; and will, by permission of the Court, offer a few Observations upon the Evidence adduced by me in support of it, in the order of the defence, dividing my observations accordingly into three heads.

With respect to the first charge, I shall not say much, as I consider the evidence on that head so clear and satisfactory as to leave no doubt upon the mind of any person that it has been not only not made out, but that it is completely disproved.

I will therefore content myself with simply referring to the different sub-divisions which I think embrace all the points contained in that charge, and note the evidence applicable to each.

My Preliminary Remarks are*, I trust, supported in those cases in which it was necessary for me to adduce evidence. In *(page 1,)* by the instructions from the Missionary Society; in *(page 2,)* by H. Van Cooten and the instructions. In *(page 3,)* by H. Van Cooten, John Stewart, and Richard Elliot; by my journal, and Bristol. In *(page 4,)* by Polly, Mars, and London; by Bristol, Jason, and Azor. In *(page 5,)* by the instructions. In *(page 5)* B. by the Reverend Wiltshire Staunton Austen, Richard Elliot, and John Davies. In *(page 6)* by my instructions. In *(page 7,)* by Azor, Bill, London, Philip, Mary Chisholm, Mars, Romeo, and others.

* *see p. 31.*
sic. orig.
[but these references are to the divisions of the Prisoner's defence, which commences on page 31 supra, and is continued to p. 45, and also subsequently from this place to p. 72.]

The first division of the first charge requires no evidence. The second, That I have endeavoured to mislead the negroes by misinterpreting the Scriptures, is disproved by Romeo, Bristol, Azor, Jason, Mary Chisholm, and London in particular.

The third, that of taking money and presents from the negroes, it is true, has been proved; but they were given voluntarily, of their own free will and accord, as many of the witnesses have proved. The money collected for the Sacrament was applied, as Jason has proved, in the purchasing bread and wine, and candles. The money collected for the Missionary Society was regularly remitted. The planters knew of the collection, and not only allowed it, but some were themselves contributors as proved by H. Van Cooten, John Stewart, and John Hamilton.

Fourthly, it has been established that the sale of the Bibles was ordered by the Bible Society, and Mr. Davies has proved that he charged at the same rate for those he sold. I took no unfair advantage of any negro or other person in the sale of either the Bibles or other books. Nino has proved that I sometimes sold the Bibles for half price.

Fifthly, That I have interfered with the treatment of the negroes. Not a single instance of interference has been produced; but evidence to the contrary has been brought forward by me in my journal, and by Mr. Austen, independently of Bristol's evidence on this head.

Sixthly, That I have taught them, (the negroes) it was sinful to work, or go to market on a Sunday. Upon this head I think it has been satisfactorily shown by the evidence of Romeo, Jason, Bristol and Manuel, that though I taught the negroes in obedience to the commandment of God to keep holy the Sabbath; yet that I invariably advised them to a dutiful submission in performing their work if assigned them even on Sundays.

Seventhly, That I have taught them to disobey their masters. This is disproved by Bristol, Romeo, Jason, Mars, and Mary Chisholm, herself an owner of slaves.

Before I enter upon the first part of the second and third charges together I cannot omit commenting upon some part of the evidence introduced on the first charge, because from it it will appear what my conduct has ever been, and therefore that it was impossible for me to have been guilty of the third, and of the second part of the second and fourth charges unless I had become suddenly insensible to every obligation moral and divine.

It is evident from the evidence that I have always acted with the greatest uprightness and integrity; that I have gone farther, and conducted myself with prudence and caution from the time of my arrival in the colony to the revolt; nay Hamilton proves that even in the

Twenty-fifth Day, 14 November 1823.

very midst of the attack on his house, I hastened to his assistance, and used all the means I possessed in his favour; that I exhorted the negroes to be quiet; it was all I could do. All the negroes, both for the prosecution and defence, who were questioned on this point, agree that I always taught them to be obedient to their masters, and to submit themselves to all in authority over them; not an individual exception is there to this train of evidence. My Journal, read from page to page, will not disclose one single passage emanating from bad feeling towards any individual. The vices and follies of some may have therein been reprobated, but even the reprobation of those persons was confined to myself. I did not commit, in many instances, even their names to paper.

The certificates for baptism from the various proprietors and managers of the estates on the east coast abundantly show that even in the performance of the rite of baptism I was peculiarly cautious with respect to the characters I admitted into my congregation. George Donaldson states, as the pass given was not sufficient, he would give another. Nicholas Van Cooten says, that finding I was wishful of some testimony of the negroes character, he therefore recommended. But had the negroes been excited to disobedience by me, would I have required testimonials of character before I bestowed upon them what they considered a valuable acquisition? Many of the certificates were destroyed, but even those that have been preserved are sufficient to convince the most prejudiced that my requiring certificates was from principle, as they form a regular series during the whole course of my ministry at Le Resouvenir.

It has been attempted, and in fact the whole drift of the prosecution, of the charges, and of the questions of the prosecutor, was to show that the religious negroes were the most refractory and rebellious. What do the certificates of baptism say, that only they were recommended by their owners, managers or overseers, who behaved well, who were well disposed, and who were thought worthy of reward. Do not all these proofs, from even interested parties, clearly demonstrate that the effect of religious instruction was beneficial? Independently of this, the witnesses, H. Van Cooten, himself a proprietor of one, and attorney of another large estate; and John Stewart, unwilling as he was to answer my questions, have sworn, that the religious negroes were the most obedient in general. Every planter, every master, can tell how very intractable and unruly is a dissatisfied negro—he will not be obedient. The series of written evidence proves that those negroes who were allowed to attend the chapel conducted themselves in a dutiful manner. Should any object that the certificates relate to the characters of negroes previous to their becoming christians, Mr. Haig's note will be a satisfactory answer. I quote from memory:—He says, "I have hitherto refused to give such and such negroes a certificate of characters in consequence of some that were baptised by Mr. Wray behaving amiss; but as they now behave better, I comply with their request, and recommend them to you as well disposed people." Thus I think the very reverse of the first charge, (that I have as far as in me lay promoted discontent and dissatisfaction in the minds of the negroes, thereby intending to excite them to break out in open revolt and rebellion against the lawful authority, &c.) is manifested. Doctor M^cTurk's evidence is of itself sufficient to condemn itself; but the testimony of Messrs. Hamilton and Simpson is conclusive against him.

It is a bold assertion, but not more bold than true, that there is not a single negro witness upon any material point, either in support of the second and third, and fourth charges, or in support of the defence, who is not either contradicted by himself or by some other witness. In some part of his evidence Bristol contradicts himself; he is also contradicted by Emanuel, Seaton, Peter, Shute, Mary Chisholm, and Charlotte. Emanuel is contradicted by Bristol, Seaton, Mr. Stewart, Mr. Elliot, Mary Chisholm, and Bill. Seaton is contradicted by Bristol, by Peter, Shute and Charlotte. Peter is contradicted by Bristol, Seaton and Shute. Shute is contradicted by Bristol, Peter and Seaton. Charlotte is contradicted by Peter and Shute; and Antje is contradicted by Elizabeth; and Elizabeth is contradicted by Antje, Dora and Mr. Hamilton.

Bristol says, He is a deacon, and one of the duties of the deacons is to instruct candidates for baptism, and to teach them to read.	*Contradicted.*—Bristol himself says he cannot read.
He was not at the meeting in the middle path of Success on the 17th of August.	Emanuel says Bristol was present at the meeting in the middle path of Success on the 17th of August.
He staid a little while after the noon service near the chapel, from whence he went direct to Mr. Smith's house with Quamina on the 17th.	Mary Chisholm says the congregation on that day went quick away; that Quamina followed them directly from the chapel; that Bristol followed Quamina; and Bristol himself says that he was in Mr. Smith's house talking about his little girl, when Quamina came in.
Mr. Smith told the negroes if they ran away they must take care, and not let them catch them again.	Bristol himself says Mr. Smith never encouraged any negro to run away, and punished York for so doing.
Did not see any body else present during Quamina's conversation with Mr. Smith,	Peter, Shute, Seaton and Charlotte, prove that Peter, Shute, and Seaton, were with Quamina

Twenty-fifth Day, 14 November 1823.

in his presence on the 17th, and makes out that he was only once at Mr. Smith's house on that day.	Quamina and Bristol on that day in Mr. Smith's house, and as Bristol says he was there only once, it must of course have been on that very occasion; and Shute says that Bristol came to call him and Peter.
He never heard the people talk about any one else fighting but the Jews or Israelites.	Bristol says he has heard of the French and English fighting from people all about.
All and every one of the doors were shut during the Sacrament.	Bristol says the little door in the gallery was open, and the little door of the gallery communicating with the body of the chapel was also open.
After he left Mr. Smith's house after service, he went to the chapel, from thence home.	Manuel says Bristol came back to the Middle Walk at five o'clock.
When we went in Quamina asked Mr. Smith if any freedom had come out for them, and Mr. Smith said no.	Seaton says he was present at the commencement of the conversation, and nothing was said about freedom having come out.
Bristol says, Quamina said Jack and Joseph were speaking very much about it, *i. e.* freedom; that they wanted to take it by force.	Peter answers to the question by the Court, "Did you hear any thing about Jack and Joseph?" "No, Sir."—Did you hear Jack and Joseph's names mentioned at all?" "No; he did not call any body's name."
Mr. Smith said to Quamina, The soldiers will be more strong than you.	Peter is asked by the Court, "did you hear Mr. Smith say any thing about the soldiers?" He answers, "No."
Mr. Smith told Quamina he had better go and tell the people, and christians particularly, they had better have nothing to do with it.	Peter is asked by the Court, "Did Mr. Smith say any thing about the christians?" His answer is "nothing."
Quamina said he would drive all the white people, and make them go to town.	Bristol in his cross-examination says it was the *managers* who were to be driven to town. Peter says, Quamina said he would drive all them *managers* from the estates to the Court. Shute also says it was the *managers*.
Quamina said the white people were to be driven to town, because the negroes freedom had come out.	Peter says, Quamina said they were to drive the managers to the Court, to see what was the best thing they could obtain for the slaves. Shute was asked, "Did Quamina say what he was going to drive the managers down for?" He answered, they must come down to make a good law, and give them (the negroes) a day or two.
Emanuel says: Three Sundays before the war came, he and Quamina went to Mr. Smith's house, and then he relates a conversation which he says occurred; and amongst other things that Quamina asked the parson, and said, I understand that Mr. Stewart and Mr. Cort came here on Friday. By this it would appear that Mr. Cort and Stewart had called upon me on the 3d of August.	*Contradicted.*—Mr. Stewart and Mr. Elliot prove that Mr. Cort and Mr. Stewart did not come to me until the 8th of August.
He is then asked, did the parson say thing about Jack and Joseph; and though just before he could not recollect any more, and had added, it is on paper taken down by Mr. Smith and Mr. Croal, yet he immediately remembers a tale about Jack and Joseph.	If this be true, why should Bristol also state, that on the 17th Quamina told me that Jack and Joseph wanted to take their freedom by force. Bristol is contradicted, and so would Emanual have been, had he stated there was any one present. I never saw the man with or without Quamina upon any such subject.
He heard of this revolt about a month and a half before it.	All the witnesses prove that it was only determined upon on the 17th of August, the day

Twenty-fifth Day, 14 November 1823.

	day before it broke out; and he is then asked, Did any one disclose to you the time that the revolt was to break out? He answers, "O yes, plenty of people from Mehaica-side in the Middle Walk of Success."
He is asked who was present when the parson said, If your master had any work for you to do on Sunday, it is your duty to tell him that Sunday is God's day. He answers, Joe, Jack, of Dochfour, Bristol, and Bill.	Bill and Bristol are both pointedly asked whether they ever heard me say so, and declare they never did.
That when he went with Quamina to my house he went in the kitchen to get water to drink.	Charlotte proved that no water was ever kept in the kitchen to drink.
Bristol was at the meeting in the Success middle path; came away with Quamina to me, and returned to the meeting about five o'clock.	Bristol says he was not at the meeting in the Success middle path. Seaton swears that he left Bristol at Mr. Smith's, and did not see Bristol at the Middle Walk on that day, but that Manuel went with him to the Middle Walk.
Seaton says:—He was only once at Mr. Smith's house on the 17th of August, and that on that occasion Bristol and Quamina were present; and that only Bristol was present with Quamina and himself at that time.	*Contradicted.*—Peter, Shute, and Charlotte, prove that Peter and Shute were present in Mr. Smith's house with Quamina, Bristol, and Seaton on the 17th August, and as Seaton swears that he was there only once, they must have been present on that occasion.
I left Mr. Smith's house without any one with me. I fell in with Emanuel in the way.	Peter, Shute, and Charlotte, swear that Seaton left my house in company with Bristol, Quamina, Shute, and Peter.
After I heard that, (meaning a conversation between Quamina and Mr. Smith,) Quamina told me to go to the Middle Walk of Success with Emanuel. I went and stopped the people till he came.	In addition to the above, Peter is asked, "Was Seaton with you the whole time of "that conversation?" He answers, "Yes."
Was present with Quamina and Mr. Smith in Mr. Smith's house only once on that Sunday, and that was after service, before he went to the Middle Walk of Success. The meeting at the Middle Walk took place at two o'clock.	Mary Chisholm says she saw Quamina follow the congregation towards success. It was between three and four o'clock when Mr. Smith left talking to Dora. Charlotte says when Quamina, Seaton, &c. were there, she was bringing in the dinner, and that I dined that day between four and five o'clock. Peter, when he, Seaton, &c., were in Mr. Smith's house the table was laid for dinner.
Peter states a conversation which he says passed on the 17th August, between myself and Quamina, and that there were three others present, viz. Bristol, Shute, and Seaton.	*Contradicted* by Bristol, Shute and Seaton, not one of whom relates the conversation in the same way.
The parson said, Quamina, do you hear this? and that Quamina answered, "Yes."	Shute says the parson said you must not do that, Quamina; and he said, "Yes, I will see, Sir."
Shute says, Quamina said to Mr. Smith he was going to drive all the managers down; and upon being asked, "did Quamina say what he was going to drive the managers down for? he answers, That they must come down to make a good law, and give them (the negroes) a day or two for themselves.	*Contradicted.*—Neither Bristol, Seaton, nor Peter, bear this witness out, and more especially with respect to the day or two for themselves.

Is this Evidence sufficient to convict any individual of an offence; much more one of so high a nature as that with which I am charged? It is true that it would seem as though these various tales had some foundation. I have stated clearly in the Defence the simple facts from which all these various tales have sprung. Men who cannot remember simple facts, such as knowing whether any one was present during a conversation, or whether they left a house alone, or in company with another, are not likely to be very accurate in the narration of a conversation. Which of these witnesses is the one to be believed? they are all alike; they are all at variance with each other: and whether one is to be selected in preference to the rest, or all are to be discredited, is a matter to be determined solely by the Court. I think I have shown that it will require at least some discrimination

Twenty-fifth Day, 14 November 1823.

crimination to discover the one worthy of any credit. They cannot all be believed; no two of them can be believed together. Three of them have certainly made use of the word drive: it was not the word that Quamina used to me; and how the negroes have got hold of it is obvious to every one. They have drivers who drive them to their work. Seaton says nothing about driving; the word is more familiar to them than any other word: they have used it among themselves, and now they hesitate not to assert under oath that Quamina used it to me; but let me remark, that under the same oath they have asserted other parts of the conversation, which unfortunately for themselves are contradicted by each other in every way possible.

Seaton and Bristol state they were standing in the back gallery, and I was in the hall, at some distance from them, when Quamina made his communication; this renders it highly improbable that the conversation with Quamina should produce any effect on my mind; for it was certainly a strange mode of making so important a communication to be standing at a distance, which would necessarily require a louder tone of voice than ordinary. It appears also highly improbable that a communication of so serious a nature should be made in the hearing of Mrs. Smith, and four men who were standing near him If he said any thing about driving the managers or white people to town, it was not in my hearing. What passed between me and Quamina was in a loud tone of voice, and heard, though not heeded, by Mrs. Smith, she being at the time attending to other concerns. I have already in my Defence, (*page* 58, 9,*) stated all that passed relative to the matter in question. How far the evidence, divested of its inconsistencies and contradictions, bears me out, I must leave to the judgment of the Court. The evidence, in fact, is such as to render it impossible for any one to say, that from it alone the real truth can be ascertained. That negroes are not verbally accurate in general is not only well known and proverbial, but has been proved by H. Van Cooten, a resident among them for 50 years: he swears he would not intrust even a common message to the memory of any one of them, for ten to one if they'd carry it correctly, though some might do so. I need not tell this Court that positive assertions *alone* are evidence in a case of this kind. Negroes may speak to facts, but in their notions of time and in verbal accuracy, they are miserably deficient; and even had there been no positive evidence on this point, it would have been apparent from the evidence of the whole of them on this trial. The whole conversation occupied but two or three minutes, and I had no conception that even negroes were so ridiculous as to have chosen such a time and such a manner to have given information upon any serious subject. I did not consider it as information, or I should have acted accordingly.

* *See marginal note in p.* 67

My letter to Jackey, I have already stated in my Defence, that it was Jackey's note that first made me attach any consequence to what Quamina said on the preceding day. His observations about sending the managers to town to get the new law was made with good humour. None of the other negroes present spoke a syllable except "How are you, master, and "good bye, master." Jackey's note struck me with fear and terror. In addition, however, I must observe upon Mr. Stewart's evidence, he proves that I communicated to him, unasked, the circumstance of Quamina's coming to ask me about the report of freedom; he says, I stated that *several* negroes had made the inquiry. I did not say *several*. I mentioned only Quamina, for he was the only one. Still, from the unwillingness of the witness Stewart to answer, and from the circumstance of his denying having heard of any rumour or report of the idea of freedom having got among the negroes; and denying that he knew any acts of discontent or dissatisfaction among the negroes previously to the revolt; and afterwards admitting that he told me of the negroes of Le Resouvenir having laid down their tools and gone a-back, it is evident that he had every inclination to disguise the truth relative to that circumstance.

The word several, being then introduced by such a witness, cannot be attended to. Stewart's and Elliot's evidence, however, prove that I made no secret of that knowledge. For it was told freely by me to Mr. Stewart, Mr. Cort, and Mr. Elliot, the last of whom told it to Mr. Newton, a member of the Court of Policy, in my presence. Was this the behaviour of a man plotting and conspiring? Had I had the least idea of the revolt, I most assuredly should have made it known; but I had not. Jackey's note brought before me what Quamina said in a light in which I had not viewed it before; and therefore is was, that hurried and anxious, I wrote a note, the meaning of which appeared ambiguous until explained.

My not going over immediately to doctor M'Turk's is explained by the evidence of Guildford, who says that he went away just as the sun was down. At that season of the year the sun sets at as near six as possible; there are not twenty minutes twilight in this country; yet, after Guildford went away, Mrs. Smith and myself went to walk a little bit in the Middle Walk, according to Elizabeth, where Hamilton saw, as he says, it was in the gloaming after he was attacked; what time was there for communication? Besides, the inclosure in Jackey's note to me said the negroes were to begin at the Thomas, a distance of seven miles from Le Resouvenir; how then was it possible, in so short a space of time, for me to come to a determination as to the steps to be taken, particularly as I had my wife to protect; indeed there was no time even for reflection.

On the last charge.—Romeo, one of the witnesses for the prosecution, says that he came to visit me on the Tuesday evening after the revolt, that is, on the 19th of August, and that I expressed a wish to see Quamina or Bristol. No one but Mrs. Smith being with me that evening I could not bring forward a witness to prove that he did not come to me that evening; but I have proved that the circumstance which he said occasioned his coming to me never occurred. He said, I went to visit Mr. Smith in the evening, seeing the negroes

Twenty-fifth Day, 14 November 1823.

were making a great noise, and my heart was uneasy: both Charlotte and Susannah have proved that there was no noise on the estate that evening. I deny that he came to me that evening; and I further deny, that after the revolt I expressed any wish to see either Quamina or Bristol. With respect to my seeing Quamina on the Wednesday, the only one of the three circumstances apparently militating against me, which was capable of being disproved, has been so by Elizabeth. Antje swears Quamina went in at the back door, and as he entered Mrs. Smith shut the door; Elizabeth swears she saw Quamina with myself and wife, and that the back door was open all the time Quamina was with us. Elizabeth swears she was in the kitchen, and yet we talked so loud that she could hear us; not a very natural tone of voice this for a conspirator, and aider and assister of sedition and rebellion; nor was it very natural that the doors should be all open. Antje was asked if Mrs. Smith appeared anxious that Kitty Stewart should go over; she answered she could not tell, but that Mrs. Smith stood over her, and bid her to go with me. Kitty Stewart's evidence gives a very different colour to this. But I have already said I knew nothing of these circumstances, nor can the evidence on that head affect me.

The third circumstance is related by Elizabeth, viz. that Mrs. Smith threatened her; but even Elizabeth is not altogether a correct witness, she says the revolt began at Le Resouvenir at seven o'clock. Dora and Mr. Hamilton (the latter of whom must certainly be credited in preference to the others, with respect to the time) from circumstances, fix the commencement of the revolt at a quarter past six, at all events, "in the gloaming." When the negroes revolted, it was so light as to allow Mr. Hamilton and Dora to ascertain persons at the distance from sixty to eighty roods. I do on this last charge insist that I am innocent. It has not been shown that Quamina was a rebel; even if the Court should come to the determination that it is unnecessary to prove Quamina to have been a rebel, still I must insist that proof of my *knowing him at the time to have been a rebel is necessary*.

I must observe, that it is impossible to come to a conclusion upon any one of the charges without taking the whole of the evidence into consideration; if this be done, it is manifest that neither myself nor my doctrines were the cause of the revolt; that my name was never mentioned by any of the negroes as being connected with the revolt. Mr. Austin declares he went up amongst the revolted negroes, prejudiced against me, yet he in his examination says, "I must add, that in no one instance among my numerous inquiries did "it appear that Mr. Smith had been in any degree instrumental in the insurrection." Lieutenant Colonel Leahy, who was in command of the whole coast, who was amidst the negroes on every occasion, and who had every circumstance worthy of notice conveyed to him, says, "I do not recollect hearing the prisoner's name mentioned till I came to town." Take, then, Hamilton's evidence, that of Stewart, Elliot and Davies, and the certificates, and what will not their testimony weigh against a number of ignorant negroes, under the influence of their masters; under the fear of punishment for their conduct; and therefore glad to throw the blame upon any one rather than allow it to remain with themselves, as it really does. Contradicting themselves; contradicting each other; and no two of whom agree upon any material point. One would think that Quamina's motive for driving the white people would have been remembered by four persons, in whose presence he is said to have assigned it, yet Bristol says, "it was because the negroes freedom had come out." Peter, "to see the Court, to get the new law;" Shute, "to get something good for the negroes," and "a day or two for themselves;" and Seaton remains silent on that point, assigning a direct falsehood that he was not present.

Bristol and Jason, witnesses called by me to prove when I read about Moses and Pharaoh, say about two or three months before the revolt. These witnesses could not read. London, however, who could read, and whose knowledge was tried by the Court, proved that it was two years ago, the time stated by me in my defence. This is sufficient to show how inaccurate is negro evidence in general; add to all this the scantiness of the evidence against me, notwithstanding the immense exertions that have been made to procure it. That my Defence was written upon my suggestion before my counsel had seen my witnesses; and done so on my own consciousness of innocence; that many of my questions have been bold, even to rashness, from any other than an innocent man; and, let me ask, what evidence is there before the Court that is sufficient to condemn me?

Gentlemen, I have done; to you my case is now confided. Whatever may be your determination, I do, as a minister of the Gospel, in the presence of my God, most solemnly declare my innocence.

(signed) *John Smith.*

The Defence being closed, the Prosecutor requested to be allowed till Tuesday to prepare his reply, and the Court in consequence adjourned till Tuesday morning at ten o'clock.

Twenty-sixth Day, 18 November 1823.

Twenty-sixth day, Tuesday, 18th November.

THE Court met pursuant to adjournment; when the Prosecutor requested the indulgence of the Court till the following morning, some accidental circumstances having occurred which prevented his being fully prepared with his reply.

The Court adjourned till to-morrow morning at ten o'clock.

Twenty-seventh day, Wednesday, 19th November.

Twenty-seventh Day, 19 November 1823.

THE Court met pursuant to adjournment, and the Prosecutor read his Reply, as follows:

Prosecutor's Reply.

Mr. President, and Gentlemen of the Court Martial,

The Prisoner having closed his defence, the task of reviewing the evidence now devolves on me, in consequence of the absence of my learned friend, the Judge Advocate General. I cannot but regret, in unison with what I am aware must be the feeling of the Court, that the indisposition of the Judge Advocate should have thrown this arduous task on one so little able to discharge it properly, and so new to such proceedings, as myself; but I rely, gentlemen, on your sense of the difficulties I have to contend with, and, above all, on a continuance of your kind indulgence to excuse the numberless imperfections of this reply; and I trust you will patiently bear with me, whilst I endeavour, without further preface, and with as much conciseness as time and circumstances will permit, to go through the principal and leading facts proved in the prosecution, and the points urged in the defence.

It appears in evidence, that the prisoner commenced his labours as a missionary at plantation Le Resouvenir, on the east coast of this colony, early in the year 1817; under special instructions from the London Missionary Society, warning him that he was sent here, not for the purpose of attempting any alteration in the temporal condition, or any interference with the political state of the slaves, but simply and solely for the great end of instructing the negroes in the pure doctrines of our holy religion: and it is worthy of remark, as connected with this case, that these instructions direct his attention entirely, I might, perhaps, say exclusively, to the plain truths of the gospel, and never glance at, or allude, even most distantly, to the Old Testament.

The prisoner, however, feeling, as he avows, an aversion to slavery, soon forgot these precepts, and the great and ostensible object of his mission, and seems to have directed his whole attention to obtain over the minds of his hearers an undue influence, and gradually to dissolve the tie that bound the slave to his master. The prisoner in his defence accuses the Judge Advocate, who opened the case, with having gone, in his statement on this head, far beyond the charges, and having adduced evidence wholly irrelevant to them. In answer to this accusation against my learned friend I shall content myself with referring to the statement itself, and I am convinced the perusal of it will show that the Judge Advocate, from the most honourable motives, has refrained from saying much he might have said, and from painting the conduct of the prisoner in the strong colours which he might have employed.

The charge of bringing forward irrelevant evidence is easily made, but it would have been better to allege some instance of this, to enable us to judge of the truth of the accusation; this not having been done, it would be but fighting a shadow to attempt any refutation.

I am well aware, gentlemen, that the evidence in the first charge is very diffuse; but I must beg that you will, at the same time, remember the tenor of the charge, and the difficulties inseparable from any attempt to establish it. These difficulties exist and are inherent in the very nature and essence of the crime charged. The prosecutor is called on to prove, by legal evidence, that a missionary of the Gospel has sown amongst his negro flock the seeds of dissatisfaction, with intent to rouse them to rebellion. The crime presupposes great secresy, and great caution; for the criminal is placed in a situation of extreme delicacy, where one false step, one precipitate movement either on his own part or on the part of the negroes, may at once ruin all his projects: He must hold out one character to the world, and another to the negroes; he must endeavour to conceal even from them the end he has in view, else their rashness may betray him; and he must thus strive to poison the minds of his victims without their being themselves aware of the hand which administers the potion.

Can it then be an easy or a simple task to bring forward legal proof of this crime? more particularly as all the witnesses must be taken from that very congregation which has been for years under the thraldom of the criminal himself; men, who unaccustomed to investigate the operations, and trace back the movements of their own minds, have for years looked up to him as their pastor, their friend, their guide to happiness here and hereafter. These are some of the obstacles which this prosecution has had to encounter; but then, notwithstanding, there are on the records of this Court facts proved and incontrovertible, which seem to me to carry with them the fullest conviction of the prisoner's guilt.

The congregation which the prisoner collected around him consisted of the unbaptized, of the Christians, as those were more particularly termed who had been only baptized; the members of the chapel who were admitted to the sacrament of the Lord's Supper, and the deacons; besides these, there were on the different estates, classes, each under its own teacher, who was nominated, or at least sanctioned by the prisoner, as is proved by Romeo and Bristol. With respect to admission to the chapel, it appears that the candidate, after having passed through the necessary examinations of the deacons in due order, and lastly of the prisoner, was by him introduced into the assembly of the members, and proposed as worthy of being received amongst them. One of the members spoke in his behalf, and the prisoner then asked them if they were willing to admit this person as a member, direct-

Twenty-seventh Day, 19 November 1823.

ing such as approved of him to hold up their right hands. When this was done, the prisoner took him by the hand, and shaking it, said, I receive you as a member of this church; and the various members went through the same ceremony, each saying I receive you as a brother. Such was the mode of permitting a communicant to participate in the holiest rites of religion; or more properly, of receiving him into an association linked together under the name of brothers, each individual of whom seems to have had a voice in the admission of others.

Above these were the deacons, whose duties were of various kinds, and necessarily gave them considerable authority and weight as to the rest of the congregation. The prisoner, indeed, denies this, but he himself states that they were to keep order in the chapel, and the witnesses Azor, Romeo, and Bristol, &c., prove that they, the deacons, received all candidates for baptism and for the sacrament; that they examined them; and not till they were satisfied with them did they hand them over to the prisoner; this alone is sufficient to mark their authority. Furthermore, Bristol says he had to keep an eye to the conduct of the members on his master's estate, and if his report of them was unfavourable they were excluded: and it is evident from the statement of Bristol, namely, that he was to show the candidates to Quamina; that he was to instruct them in the first duties, and then hand them over to the other deacons, &c.; that even amongst these officers of the chapel there was a regular gradation of ranks.

The teachers from their office must also have possessed considerable influence, and they seem to have been the channel of communication to the others, and the conveners of these meetings; for when the prisoner sent Jackey of Dochfour to the negroes of Orange Nassau, he directed him to call for the teacher, to let him commence by singing a psalm, and praying &c. &c., and then to open the subject of his mission.

Over the congregration thus modelled, the prisoner, it may be supposed, soon obtained great influence; of this he himself boasted to captain M^cTurk; nor was it an empty boast, for the whole evidence before you, gentlemen, shows the truth of it; the various instances will, of course, not escape from your observation as I proceed; but I shall not detain you by enumerating them, I shall only point out for the present their contributions of money for the purchase of wine for the sacrament, and the other purposes of the chapel, for repairs and enlargement of the chapel; for the Missionary Society in England; the purchase of books, the poultry, &c., and yams furnished by them to the prisoner. The prisoner says, as to the presents he received, he gave more wine in return than compensated for them. It is strange that he should forget that this wine was purchased by the negroes themselves, for the sacrament, as Bristol proves; how does his giving away the wine at their expense mend the matter; does it not make it worse? for the more he gave away, the more must they have bought.

The prisoner says, all these contributions were voluntary, and were given in consequence solely of his addresses from the pulpit; but this only establishes still more clearly his influence. It proves that it was so great as to make the negroes, of all people on the face of the earth, part with their money freely, and not on any principle of force. Vast indeed, must have been his ascendancy over the negro mind, when he could induce them to contribute their money to a society for spreading the gospel through distant regions, the very names of which were unknown to them. One of the great means by which the prisoner obtained this influence was by his being at all times ready to listen to their complaints against their masters, and to settle their disputes amongst themselves.

These latter which were formerly carried to their masters, were now addressed to him. He was to be the arbiter of their quarrels, or, as he terms it, to act the part of a civil magistrate amongst them; the prisoner wishes to explain this by saying, he never received such complaints except they related to church-matters; and he rests the proof of this in his defence, on two grounds; first, on his interpretation of the evidence of Bristol, who, in his cross-examination, after having said the negroes complained to the prisoner of their being licked for going to chapel, is asked, "Did they complain to Mr. Smith, that they were licked for any thing else?" to which he answers, "They might have done so, but I do not know of it." The second is an allusion to an extract from his Journal, quoted in his defence, and under date 21st March 1819. The whole passage is as follows: "I wish the negroes would say nothing to me concerning their troubles, which arise from the severe usage of their managers, &c. as it is not my business to interfere in such concerns, and only obliges me to treat such conduct with apparent indifference, and behave with coolness to those who relate it. I observed in the slaves a spirit of general murmuring and dissatisfaction, nor should I wonder if it were to break out into open rebellion; however I hope it may not." Bristol's testimony is no disproval of the charge; it goes only to what he himself heard. As to the passage from the Journal, it admits the fact that the negroes did complain, and did continue to complain to the prisoner of their treatment, which is borne out by many other parts of the evidence, and this once admitted, I ask no further proof. This passage so far from proving what the prisoner wishes, shows that the prisoner did not treat their complaints with even apparent indifference, or listen to them with coolness; for who is there at all conversant with the negro character, who does not know that a negro never will continue to carry his complaints to one who receives them with coolness. Is not this stated by one of the prisoner's witnesses, that the negroes said they would not go to the Fiscal, because once when they went

he

Twenty-seventh Day, 19 November 1823.

he did not attend to them. I do not believe the statement of the negro as to the fact, but the reason is perfectly in character. Even then if argument could do away with facts, the prisoner's defence here would not avail him.

To prove these facts, I do not consider it necessary to repeat to the Court the numerous complaints of the negroes with which the Journal is filled, not only as to religious matters, but as to other points. The complaint of Ned, the complaint of the negroes of Success, the disputes between Emanuel and Coffy, &c. they must be fresh in the recollection of the Court; and the declaration and admission in the Journal of the prisoner himself, as to the truth of the fact, render any thing further useless. Whether these complaints were well or ill founded is not the question, nor have we the means of knowing, but I cannot help observing, that in the only instance where a negro was interrogated as to the complaint mentioned in the journal, he was obliged to confess it was not true. I allude to Jackey of Dochfour. The prisoner in the course of his defence to this part of the evidence, says, the planters themselves referred the quarrels of the negroes to me to settle. But this does not accord with what he had before stated; he has at all events shown no proof of it; there is an instance, and it is a solitary one, of a manager sending to him a negro to be reprimanded for immoral conduct. It is the case of Mr. Stewart, of Success, who wrote to the prisoner, telling him, that Jack, a teacher of Bethel Chapel, had turned his wife out of doors to bring in other women, with whom he lived; and Mr. Stewart then begs the prisoner to reprimand these parties for their disgraceful conduct, but this case is no answer to the facts I have stated, and yet it would appear, that the prisoner can adduce nothing more, unless, indeed, the evidence of the Rev. Mr. Austin, as to the familiar intercourse which ought to subsist between the pastor and the flock, be meant to apply to this point; but if so, the answer is still plain.

Mr. Austin states, the object of this intercourse is to discover their spiritual condition, not to listen to their complaints against their masters. In a few words, this interference on his part was either necessary or unnecessary. It could not be necessary, or the prisoner would never have described himself in his Journal, a document meant for the eye of the Missionary Society, as checking these complaints; if it was unnecessary, it was clearly unjustifiable, as tending, inevitably, to destroy all confidence between master and slave. The man who really meant to support the authority of the master would never do any thing to lessen this confidence in the mind of the slave, he never would teach him to look to any one but his master for the settlement of the disputes between him and his fellow slave.

As to the advice which he gave them when such complaints were made, and the coolness with which he treated them, the Court will be further able to judge from the following facts;—Bristol says, "when the people come to complain, or when they are hindered from coming to chapel, and some of them get licked, then he tells them, well, I cannot help that; but it is not right for your masters to lick you, and hinder you from coming to the chapel."

Manuel states, the prisoner said, if your master have any work for you on Sunday, it is your duty to tell him that Sunday is God's day; that if the water-dam broke on Sunday, it was our duty to go and stop it.

Romeo says, the prisoner told them, if the water-dams break, to be sure you must attend to your master's duty; if they force you to do it, you must do it, and your master will answer for it.

Azor says, the prisoner told us, God keeps the sabbath-day holy; that this country was a very wicked country; in England, they were all free, and they all kept the sabbath-day holy; that it was very hard to work on a sabbath-day, but in case of fire, or the koker giving way, we must work; but if half a row was left, it was not fit to finish it on a Sunday; that it was not right to work on the sabbath; and that we were fools for working on a Sunday, for the sake of a few lashes.

On this evidence a great many remarks have been made by the prisoner, but he has never attempted to contradict the answer which Bristol says he gave to their complaints, nor yet what Romeo asserts about their working, not if ordered, but if forced, because their masters would have to answer for it. These, therefore, stand uncontraverted, and the spirit of them is well worthy of observation. In like manner he admits what Manuel, Romeo and Azor, have stated, as to the necessity of their working in case of fire, or the dams breaking, &c. He does not deny his stating this, but he has attempted to deny their evidence as to some of the other points. He wishes to make it appear that he always enjoined on the negroes the necessity of working on Sunday when ordered; but if such were the case, why should he tell them it was incumbent to assist in repairing a breach in the dam, or putting out a fire on a Sunday? Surely if they were directed to do all manner of work if ordered, the prisoner never would have deemed it necessary to point out the propriety of stopping a breach in the dam on Sunday. The very nature of the thing shows this was, as stated by Manuel and Azor, an exception to the general rule which he had laid down for them; and, as he does not deny his stating the exception, I do not see how he can contradict the general rule, for this must in fact be presupposed, otherwise the exception is nonsense; nor do I see that the negative evidence of Bristol and Bill, who say they did not hear the words, can, especially under such circumstances, do away with the positive testimony of Manuel. The evidence of Azor is what the prisoner principally aims at destroying, but as far as I can judge of it, his efforts have been fruitless.

Twenty-seventh Day,
19 November 1823.

It is asserted that Azor is not to be believed because he could not remember the names of all who were present. Yet he mentions expressly the driver of Postlethwaite's Plantation, Friendship, as being there; and on the list of the prisoner's witnesses there is a man of the name of Friendship, but this man was not called. Of what importance then is the prisoner's remark? The witness who can contradict the testimony of Azor, if it be false, is pointed out; the prisoner does not examine him, but he summons other persons of whom Azor makes no mention, to prove that they never heard such an expression.

The prisoner then strives to show that if he did give such instruction, he at the same time directed them to finish their work on the Saturday, and certainly if he wished to prove that he did not encourage the negroes in idleness or disobedience, it was incumbent on him to show this. With this view he asks Azor, "Was any thing said about finishing the half row "on the working days?" to which Azor answers, "No;" and the prisoner never again hints at this subject.

It is in points such as these that we must expect to find the true character of the prisoner's doctrines. The general precepts of obedience on which he so much rests are mere shadows if they be not carried into the every-day practice of life. The negroes on the estate where Azor lived seemed to have had a certain task assigned them, some of them did not finish it on Saturday, and took their Sunday to do it. The case comes before the prisoner, he remains perfectly silent on the necessity of their doing their work on the Saturday, but he exclaims against them for putting their hands to it next day, and working on Sunday to save themselves being punished. Is this a lesson of obedience? You are fools to work for the sake of a few lashes. Was this intended to raise in their minds a respect for their masters, or to make them look on his indignation as a thing to be dreaded? No; they were told to despise it. And shall the man who acts thus shelter himself behind such an excuse as his preaching up at other times obedience to their owners?

The very nature of the punishment which he inflicted on the delinquents for Sunday work was such as to make them look on their masters as beings under the curse of Heaven. The working voluntarily on a Sunday was considered such a crime as to render the negro unworthy of partaking of the Sacrament. In what light must the masters have been held! And is not this in accordance with the statement of Romeo? Work if your masters force you, for they will have to answer for it. Could this lowering the master in the eye of the slaves be intended to make them more obedient? Were they more likely to be submissive to men whom they believed exposed to the wrath of God? The negroes had been told, as Bristol and Manuel prove, that the enemy the Jews fought against and conquered meant the men that did not believe in or fear God; that Jerusalem was to be destroyed because the men of that city did not believe in God. Was any good point to be gained by representing their masters as of much the same character.

But to proceed with other instances of advice: Bristol says the prisoner told the negroes "when they run away or so, you must not let them catch you again, for they will punish you."

The prisoner asks him, Did I ever encourage the negroes to run away? Bristol says, No; I dare say he did not openly or directly do so; for where an indirect hint would answer, I do not suppose he would ever go farther. Bristol indeed states in his evidence, that York, a member of Bethel Chapel, was once punished by the prisoner for running away, and that the Christians from Mahaica-side who had also run away, were told not to come to his chapel. It moreover appears that a negro who had left Success in the day, and had been troublesome in the prisoner's yard at night, was sent home by him the next morning; and also that a negro of plantation Vigilance, who had absconded, had come to him seemingly to get him to intercede with his master for him, which he did, and sent him home, and the negro was pardoned, but I do not see how this meets, or does away with, the evil tendency of his declaration, as stated by Bristol, and which is not controverted. He is not accused of harbouring runaway negroes? surrounded as he was by the different estates he could not have done it; and besides he had a character to support before the public, or his private machinations would fall to the ground. For aught that appears to the contrary this declaration may have been made to some of these runaways whom Bristol mentions.

I shall cite only one instance further on this point. The negroes at Dochfour had obtained leave to have meetings on their estate at any time they chose for the purpose of learning the catechism, on two conditions, however; First, That they should not admit strange negroes, and secondly, that they themselves should not go abroad to other estates. Jacky Reid, the teacher, at Dochfour, tells this to the prisoner, and what is his remark? Is it an injunction not to abuse the indulgence of their master, but strictly to adhere to his commands? far from it; he tells him there is no harm in your letting negroes join you from other estates, and you may go abroad without doing any thing wrong. This is precisely the tenor of his whole conduct, as far as the evidence traces it. In his public sermons he sometimes tells them to be obedient to their masters; but when it is reduced to any one specific circumstance, he does not hesitate to hold forth the very opposite doctrine; but the prisoner in the present case was not contented with merely telling Jacky to disregard his master's orders, but he actually sent him in defiance of these orders to a meeting of the negroes at plantation Orange Nassau.

On

Twenty-seventh Day,
19 November 1823.

On the head of keeping the Sabbath, the prisoner prohibited the negroes from working on that day in their own grounds, going to market, or even washing their clothes under pain of incurring the vengeance of their Creator.

Whatever he may urge on this point, I believe there is no one who looks at the constitution of society in this colony, but will, without hesitation, admit, that there exists no means so well calculated to render the negroes dissatisfied as this very one, to deprive them of their Sunday, the day which they have to themselves; and you find, gentlemen, by the positive testimony of Manuel and Bristol, uncontradicted by any one witness, that this measure did produce the effect to be expected, that the negroes began to murmur, and require another day for themselves, and that this was one of the great causes of that dissatisfaction which at length drove them to open rebellion.

The prisoner asks Bristol, did the negroes not talk of having a day to themselves in the time of Mr. Wray, to which he receives a decided negative. By this comparison between the former missionary and the prisoner, both placed in the same situation, both sent to teach the same religion, this discontent is most clearly and forcibly brought home to the prisoner.

The prisoner pleads that he was actuated in this matter solely by a sense of religion. It is not by any one isolated act that the intention of the actor can be proved. The point in question is a part of a system, and must be judged of by the whole tenor of that system.

But if this dissatisfaction be the effect of religion, and religion only, why did not the negroes during Mr. Wray's time feel the same dissatisfaction, and require another day for themselves. There must have been something in the system of the prisoner very different from that of his predecessor; though the religion they taught was, or ought to have been, the same.

But was religion the cause also of the prisoner's drawing an invidious comparison on this point between the slaves of this colony and the people of a free country.

If it be so, the prisoner's zeal for the gospel of peace has most unfortunately led him to adopt the very measures which appear the most likely to upset society, and carry discord through the land.

I may remark, that his explanation of the above comparison, which he admits he made, might have been proved by the witnesses themselves, if that explanation were true; but the prisoner never hazards a single question on the subject, and the inference is not to be mistaken.

There is another circumstance which leads us to a different conclusion from that which the prisoner wishes to be adopted. The murmuring of the negroes, as to their having another day, was not unknown to him, for he himself within a few hours after the revolt broke out, assigned this to John Aves as one of the causes of their rebellion; they wanted their Saturday and Sunday. This is a strong fact against the prisoner; Who told him this? it could not have been after the revolt, for you have the conversation between him and the negroes in Hamilton's evidence, and nothing of this kind is mentioned. This conversation consisted, on the part of the negroes, of a declaration that they would not hurt him; that they wanted the manager, not him; and on his part of an exhortation not to injure the whites, and to go away peaceably; nor is any thing of this kind hinted at in the interview of the negroes on the 17th. Much more might be said on this point of the evidence adduced as to this system; but I feel how impossible it is in me to pretend to give due weight to all the various parts of this mass of evidence, and the further I get on, the more reason do I find to congratulate myself that the Court is so fully master of the subject, and that my want of knowledge and omissions are so little likely to lead them astray.

Further, it has also been proved that the prisoner did receive the negroes at his chapel, though at the time he knew they came in direct contradiction to their masters orders. This he admits in his Journal under date 6th July 1817, and in many other parts. Nay more, he taught the negroes to consider any attempt on the part of their masters to restrain them from coming to his chapel, whatever the masters motive might be, as an act of gross injustice and oppression. He aimed, in fact, at making them believe they were an oppressed and persecuted race.

He told them, as Bristol admits, that though they did come to chapel in contradiction to their masters commands, it was not right in their masters to punish them for that.

To impress on their minds his sense of these persecutions, he read to them, as he mentions in his Journal, a part of Scripture which he conceived addressed to persecuted Christians, as being best suited to their condition. And so far did this spirit go, that he permitted them to pray in his presence, publicly in the chapel, "That God would overrule the opposition which the planters make to religion for his own glory." The words of the prisoner in his entry of this circumstance, are worthy of remark. "In such an unaffected strain he breathed out his pious complaint, and descended to so many particulars relative to the various arts which are employed to keep them from the house of God, and to punish them for their firmness in religion, that I could not help thinking that

Twenty-seventh Day,
19 November 1823.

that the time is not far distant when the Lord will make it manifest by some signal judgment that he hath heard the cry of the oppressed, Exod. iii. 7, 8."

The arts which their masters use to keep them from religion is a curious phrase in such a situation. After all this, it would be as ridiculous to say that he did not teach them to consider themselves oppressed and persecuted, as it would be useless to bring forward any further proof of the fact.

The prisoner makes no comment in his defence on any of these facts; he passes them over without the slightest notice; and his silence is decisive on this point. There remains on this head one circumstance still to be noticed. I have already remarked the prisoner's knowledge of the discontent of the negroes as to their wanting a day. I have now to call the Court's attention to the evidence of Colonel Reid.

The witness observed to the prisoner, he feared that he, the prisoner, had been preaching very improper doctrines to the negroes, as the principal members of his chapel had been leaders in this insurrection, on which the prisoner replied, by endeavouring to show that if the negroes had acted rebelliously they had misunderstood his doctrine, and to prove this he said that on one occasion they thought he had been abusing the manager, whilst in truth he was recommending to them obedience. And he then adds, this was not the first insurrection that had taken place in the colony. The witness said it was one of a peculiar nature; and the prisoner replied, that much blood had been shed at different periods in religious wars, or on account of religion.

Take the whole of this from his preaching down to the bloodshed for religion, and what is the meaning of the remark. Does it not clearly point out the connection in his mind between religion and the revolt. He best knows how he comes to have such an idea, or to attribute the revolt to their religion.

The next leading feature in the prisoner's system is the part of Scripture he selected for reading to the negroes at morning service, namely, the Old Testament. In justification of this he says, that didactic discourses were of little avail; that the instances of virtue and vice in the Old Testament would make a greater impression on the negroes minds. His instructions from the Missionary Society do not agree with him here. And they cite not speculative reasons, but practical proof of the propriety of what they state, by referring to the success of the Moravians. But it is not a mere error in judgment that the prisoner here committed, but something of a very different nature, as I shall endeavour to prove by the evidence on the minutes of the Court. The first point which I shall notice is the particular passages to which the negroes minds seemed always ready to revert. The deliverance of the children of Israel from Pharaoh: the reason which was assigned for this deliverance, because God did not wish them to be slaves. The overthrow of Pharaoh and his soldiers in the Red Sea. And the subsequent successful engagements of the Israelites in conquering the enemy, which, as Bristol mentions, was the people that did not believe in God.

These things have been detailed in evidence with great accuracy by the witnesses, and of their having been read to them there is the fullest proof. That the prisoner not only read these passages to the negroes, but read them in such a manner as to impress them on the negroes minds, is established by their being so well remembered by men who cannot read; his intention in doing so must now be shown. To prove that his intention was good, the prisoner, besides alleging the above reasons for reading the Old Testament in general, says, in defence of this particular part, that without this the history of the church of God would have been imperfect; and that the display of the power and mercy of God in this eventful history was most likely to impress their minds with a religious fear; and he further refers to a passage in his journal, under date 8th August 1817, viz.—" Having passed over " the latter part of chapter xiii. as containing a promise of the land of Canaan, I was ap- " prehensive the negroes might put such a construction upon it as I would not wish; for " I tell them that some of the promises, &c. which were made to Abraham and others, will " apply to the Christian state. It is easier to make a wrong impression upon their minds " than a right one."

This passage is, like most of the writings of the prisoner, cautiously worded; but the meaning of it is in plain English this,—I have told the negroes that the promises to Abraham and others will apply to them, the negroes, in this world; for, gentlemen, if he attached to the word Christian state any other meaning than what I have above given, whence could the fear in his mind arise? What chance was there of the negroes taking exclusively to themselves, in a temporal sense (for that is the only thing he could fear) these promises, which they were told were meant to their masters, as well as to them, and applied to the world hereafter: but even supposing this interpretation wrong, let us carefully examine the passage, and see if any other which can be given differs very widely from it.

It is evident that the fear is founded on experience; and his reason for not reading the latter part of this chapter of Genesis to the negroes is because it contained a promise of deliverance from slavery, as he seems to have first intended to express it, or as he afterwards amended it, a promise of the land of Canaan. His idea was clearly, that the negroes would take it as a promise of a change in their temporal condition, for it never could enter his mind

Twenty-seventh Day,
19 November 1823.

mind that they were theologians enough to reason improperly on it in a spiritual sense, and adopt some heretical ideas: and then what does this come to?—That though he had told them the promises were made to all the Christians, bond and free, here and elsewhere; and that these promises alluded not to their temporal condition, but to their eternal state, the negroes were still so stupid and so apt to catch at every thing which could in any the most indirect way be applied to them, that they would take these promises as meant to themselves alone, and as applicable to their state in this world. If this be the meaning, and I really can find out no other, I do not see that it is one whit more in the prisoner's favour than the former. Take it which way you will, it is certain that the prisoner was perfectly aware that the negroes were liable and ready to misinterpret and pervert the Scriptures, and yet, with this conviction on his mind, he thought proper to read to them the history of the deliverance of the Israelites. The prisoner says he never applied it to the negroes. It is probable that he never did in express words; but after what he himself knew of their character, is he to impress such passages as these on their minds, and be excused because he did not sum up by saying, This was meant for an ensample to you, "Go ye and do likewise" What necessity was there for any such exhortation; the business was done without it, and he knew and felt this, and why should he expose himself needlessly. the application made by him in direct words might be repeated by a negro, and blazon the whole prematurely to the world.

There is another point connected with this, which, though in itself apparently trifling at first sight, yet taken with the rest, seems to me to prove still further the bad faith of the prisoner.

The witnesses who have detailed to you the different Bible histories have in general kept pretty fairly to the words of the original, except in the instance of this very tale of Moses. Here we find them talk of slaves and slavery, and Pharaoh's soldiers; but not one of these words slaves, slavery, or soldiers, is to be found in this portion of the Bible history, and this proves that the prisoner as he went along explained the passages of the Bible, and explained them in the words which brought the tale most completely home to the negroes. He may say it was done to make them understand it. The word servant in the Bible is perfectly within the comprehension of the negroes; but if the prisoner thought it necessary to explain it to the full, what becomes of his caution: what sort of caution is that which would pass over the latter part of the chapter of Genesis, containing a promise to Abraham, and yet read to them of the deliverance of the Israelites from Egypt, explained down to the very situation of the negroes themselves, represented to them as a struggle between the slaves and the soldiers, in which the former were victorious, and the latter destroyed.

The same sort of thing is observable in the story of David, who is said to have run away into the bush, and would not go into a friend's house for fear of trouble. Azor, when he repeated this, added, "we understand that," and indeed well they might.

The prisoner has attempted to show that this reading could not have influenced the negroes, as it is so long since he read it to them, but in this point he has decidedly failed, for only one witness, London, says it was two years ago, but the rest all declare it was a few months before the revolt.

The prisoner rests much on London's testimony, but London's memory is not very correct, for he says the prisoner never read the 7th chapter of Joshua, in which he is contradicted by the Journal 5th August 1822. The time which he chose for reading this part of the Bible is also to be observed. It was not at noon service where whites sometimes might be found —no, it was at the morning service, when whites never come. He rests much on the circumstance that the doors were open, and that whites might have come, but the very licence under which he preached at all bound him not to close the chapel doors. Besides, the shutting of them might awaken suspicion, and experience had fully assured him that there was no likelihood of a white coming to that service.

But not only their masters were held up to the slaves as opposing religion, the highest authorities in the colony were represented as pursuing the same course; and it is impossible not to observe with how much contempt the prisoner has generally treated the commands of Government. The effects of such an example would not fail to be felt.

The conduct of the prisoner in the instance of the small-pox at Le Resouvenir is a glaring proof of this.

The prisoner received, as he acknowledges, a communication from Government through captain McTurk, directing him to shut the chapel to all strange negroes as long as the small-pox was on the estate, and informing him that the captain of the district was instructed to see the order complied with. Captain McTurk, the captain of the district, was desired to devise such means, and take such steps, as in discretion he would judge necessary, to see the order duly complied with: this was on the 20th November 1819. On the 11th December following he writes to captain McTurk to take off the restriction; which the other refused. Finding he could not obtain his end in this way, he determined on setting at nought these orders, and actually opened his chapel to the neighbourhood in open defiance of the commands of Government. Captain McTurk then found it necessary to address a circular to the representatives of the different estates, calling on them to support the orders of Government,

Twenty-seventh Day,
19 November 1823.

and assist him in carrying them into effect, by preventing the negroes from attending chapel.

The prisoner tells the negroes he did not believe the order for them to stay at home was from the Fiscal, and to make themselves easy about it. He meets captain McTurk that evening, and declares to his face that he, the prisoner, had great influence over the negroes minds, and that he would use it to bring them to chapel the two following days, and preach to them in defiance of all the power and authority captain McTurk possessed. On what principle of respect for the commands of Government is this to be explained?

The prisoner wishes to represent this conduct of captain McTurk in an invidious light. But Government fully approved of what he had done, and the restriction was continued till the 29th January. Had the prisoner really felt the anxiety he pretends to have felt to preach to the negroes, he might have gone to other estates, for the restriction was only on the chapel, but this was not his object; and an opportunity of carping at Government, representing it to the negroes as wishing to deprive them of the power of going to chapel, was of too much consequence to be lost.

The same spirit of rank disobedience to the orders of those in authority marked his conduct on the Thursday after the revolt. He was ordered by captain McTurk, the officer commanding the district, to repair to the post, and to remove all pretext for his not coming: an offer was made to take Mrs. Smith to any place of safety she might point out, and at the same time a guard of twelve soldiers attended to protect him on the way to captain McTurk's; but, notwithstanding this, he flatly and positively refused to obey. He now pleads his ignorance; the plea might have served him better had his manner to lieutenant Nurse, the officer who conveyed the order, been any thing but what it was—supercilious and offensive. These facts require no observations, but I cannot dismiss this part of the subject without replying to the remarks made by the prisoner on captain McTurk's evidence. It is said to be inconsistent with itself; and in the enumeration of his inconsistencies the prisoner says the small-pox first broke out in October, and the order from Government is in November: that may be, but what has that to do with captain McTurk? Of the same style are his remarks respecting captain McTurk not having sent round the order to the estates till the 23rd of December: captain McTurk had to carry into effect the instructions he had received to see the chapel shut, and no more. He trusted that it would be sufficient to inform the prisoner of it; but when he found the prisoner openly set it at defiance, and received the negroes, as he admits, from other estates at chapel, then captain McTurk was forced to adopt other measures; and since the prisoner would not go on quietly, he was compelled to call to his aid the whites on the neighbouring properties. But even here he was bound by his orders to a certain point, and the prisoner charges him with inconsistency because he did not do what the Government never directed him to do.

The prisoner next remarks on the opinion of doctor McTurk, as to the danger of the small-pox in this climate, and perverts a plain answer of the witness to what he did not say to make him appear ridiculous. Doctor McTurk had stated, two of the negroes had gone through the small-pox in the negroe-houses, and as their habitation could not be destroyed without destroying the rest of the houses, and consequently, as there was no possibility of preventing communication, there was every reason to dread the contagion spreading. He is then asked, although a person is apparently cured of small-pox as to any outward appearance, may not the infectious or contagious powers of the disease remain? he answers, most assuredly, even for months. What inconsistency is there here? if his opinion be incorrect, it might have been controverted by that of other medical men. It was, however, confirmed by doctor Walker, the officer of health here, who, on a statement to him of the simple fact, that two of the negroes had had the small-pox in the negroe-houses, deemed that ground sufficient to continue the restriction.

The prisoner next says, doctor McTurk pretended to be anxious to obtain the Fiscal's order for the removal of this restriction. If it was necessary for doctor McTurk to obtain permission of the Fiscal to remove the restriction, what became of the condition contained in the order of the 20th of November, 1819, and the discretionary powers vested in doctor McTurk with respect to that order?

To this I answer, doctor McTurk was directed to use his discretion as to the means to be employed in carrying the order into effect; he could have had no power to remove the restriction whilst the small-pox continued, for that would have been in direct contradiction to the very tenor of the order; and he accordingly states, he had no power which could justify him in removing it so long as the small-pox continued. He had a discretionary power to continue the restriction after the disease had disappeared, but certainly not to remove it whilst the disease was on the estate. At the time the prisoner alludes to it is evident the disease had not been eradicated; but as doctor McTurk wished not to act solely on his own responsibility, he addressed the officer of health and the Fiscal on the subject, and the Fiscal directed him not to remove it then, but to examine the negroes twice at a distance of eight days, and then if there were no symptoms of the disease, to take off the restriction. Where is the contradiction here? I may here add, that the witness Hamilton, who was brought forward to contradict doctor McTurk, has fully corroborated his testimony.

In another instance, a circular was issued by his Excellency the Lieutenant-Governor, respecting the negroes attending chapel, to this was annexed an extract from a letter of Lord Liverpool on the same subject. The

Twenty-seventh Day, 19 November 1823.

The prisoner receives this on the 23d May, and he thus characterizes the circular of his Excellency: "The substance of this comment is to persuade the planters not to allow the slaves to attend chapel on Sundays without a pass, and in an indirect manner not to allow them to come at all in the evening; and even on a Sunday to send an overseer with the slaves, as judges of the doctrines we preach. The circular appears to me designed to throw an impediment in the way of the slaves receiving instruction, under colour of a desire to meet the wishes, or rather comply with the commands, of his Majesty's Government."

The pass which he thus endeavours to represent as a crafty invention of the Governor, he was at the time well aware, is the common law of the land. No negro could at any time leave his estate without a pass from the manager, wherever he might be going to. The law is, I believe, nearly co-existent with the colony, and every day's experience shows us that it is still in full vigour.

The pass was required not to permit them to go to chapel, but to protect them on the road, that they might not be taken up as runaways. Some days after this was published, Isaac, of Triumph, went to the prisoner, as he states in his Journal, to ask him if the Governor's new law forbid the negroes meeting on the estates to which they belong, for the purpose of learning the catechism. Their managers, he said, had threatened to punish them if they held any meeting. The prisoner says, "I informed him that the law gave the manager no such power; and that it had nothing to do with that subject: still I advised them to give it up rather than give offence, and be punished."

Look, I beg of you, gentlemen, at the plain words of Lord Liverpool's letter; and can any thing be more explicit. He says, "It must, in the first place, be understood, that no limitation or restraint can be enforced upon the right of instruction, and of preaching on particular estates, provided the meetings for this purpose take place upon the estate, and with the consent and approbation of the proprietor or overseer of such estate."

Yet the prisoner would hold out to the slaves that this was not the law; that they had a right to meet when they chose, without asking any one's leave: a right, by the by, neither their masters here, nor their masters in England possess. Was this not in the same spirit as his other lessons on their persecuted state.

Was it not telling them that their masters break through the laws, and oppress them in violation of all justice? He further accuses his Excellency the Lieutenant-Governor in express terms of setting his face against the moral and religious improvement of the slaves, and of being desirous of perpetuating the *present* cruel system.

I cannot help remarking here the word on which the emphasis is directed to be laid in the passage just read, "the present cruel system;" a casual reader might, perhaps, think the word cruel the strongest in the sentence; but this is not what is meant. The emphatic word is present; the present system, in contradistinction to that which is to be. The same idea seems to have dictated the passage of July 7, 1823, where he says that Mr. Elliot told him he had met opposition as to having night meetings of the negroes on the west coast; and he then makes this reflection, "It will be so as long as the present system prevails, or rather exists." What the word system means may be gathered from the next passage of the 15th July, one month before the revolt. There, speaking of Mr. Hamilton's remark on what he terms Mr. Canning's project, and his opinion that it would not be carried into effect; he says, "In this I agree with him, the rigours of negro slavery can never be mitigated, the system must be abolished."

Sentiments of much the same kind the prisoner has avowed openly. In the conversation with Mr. Watt and Bond he spoke of the slaves as being cruelly treated; that they would do as well without whites; that they would not better their condition till something took place such as had been done in St. Domingo Bond replied, would you wish to see such scenes here as had taken place there He said that would be prevented by two or three missionaries.

There is a strange coincidence between the last remark respecting the missionaries, and the boast of the prisoner in his defence, that in the course of this revolt the baptized negroes had shed no blood. I am aware the fact is really otherwise, but I now allude to his statement of it.

The treatment of the slaves, as represented by the prisoner, I cannot now notice, but I must observe a passage in his Journal relative to this, and which shows that the prisoner was well aware of the tendency of his own instructions. He says that it is a common, though not false notion, that the negroes must be kept in a state of brutal ignorance. Were the slaves generally enlightened they must and would be better treated. This remark is made by him on his not being permitted to erect another chapel, and thus enlarge his sphere, and spread his doctrines over a wider surface.

But he speaks out still more plainly in another passage on the same subject, where, after a sufficient quantum of abuse on the Governor about this second chapel, he thinks of applying to his brother missionaries to aid him; but he subjoins, fortunately for the colony, though unfortunately for the cause of religion and just rights, the Governor and Court have bought them, the one for 100 joes, and the other for *f.* 1200 per annum. What comment could heighten the force of the passage? What could more plainly point out his own conviction that the interests of the colony were incompatible with the promulgation of his

Twenty-seventh Day, 19 November 1823.

doctrines? with the religion he taught, and the rights which he declared to be justly due to the negroes.

And, Gentlemen, the full, the fatal confirmation of this we have seen—we have beheld effects which I can attribute to no other source. Of all the negro population of this extensive colony there are, perhaps, none who have fewer difficulties to contend with than the negroes of the east coast. There are but few sugar estates there, comparatively speaking, the greater part being in cotton. With all these advantages in their favour, we find that on the 18th August last they rose in arms against their masters, and broke out in open rebellion.

This rebellion commenced at plantation Le Resouvenir, the residence of the prisoner, and plantation Success, the next estate to windward: it spread up the coast for several miles, and down nearly to town; but it was confined entirely to the east coast, and to that part of the coast: it stopped on this side of Mahaica. To assign, as has been attempted, the late instructions from home as the sole cause of this revolt will never bring us to the point.

This is assigning a general cause for the production of a particular effect, on a particular body of men. A general cause will produce a general effect, the same in all, unless there be some circumstances in the particular body of men different from those of the rest of the community; and therefore, if this were the proximate cause which operated on the minds of these men, there must have been something in the state of their minds very different from that of their fellow colonists.

Their minds must have been predisposed; they must have been ripe for rebellion before; and therefore the assigning this general cause only carries us a step back, but does not assist us in explaining the problem. If we inquire who were the rebels, we find that their principal leaders were, as nearly as I can gather from the evidence, Quamina and Jack, of Success, Joseph and Telemachus, of Bachelor's Adventure, Jack, of Vigilance, Sandy, of Nonpareil, Paul, of Friendship, and Paris, of Good Hope; all (save this last Paris) deacons, members, teachers and attendants of Bethel Chapel. If we carry this investigation further, we find that the congregation of Bethel Chapel, on the day previous to the revolt, went together in the middle walk of Success, and there laid their last and final plans for this rebellion, and that they were all more or less implicated in it: we find that plantation Success was the head quarters of this rebellion, the estate of which almost all the negroes attended Bethel Chapel: we find by the letter of Jack Gladstone that all the brothers of Bethel Chapel were engaged in it: in fine, go which way we will, we are brought up at last with Bethel Chapel. This is almost the only bond of connexion to be traced amongst the leaders of this rebellion—their being attendants of Bethel Chapel. It is a staggering fact, but it is a fact proved beyond the possibility of a doubt: and their leaders, who are they? the principal tradesmen on their estates, men in the confidence and favour of their masters, who knew the hardships of slavery only by name. Be the proximate cause what it may, there must have been some predisposing cause operating on the members of Bethel Chapel, something operating on them which did not operate on the negroes of the other coast.

The prisoner does not deny the fact of the attendants of Bethel Chapel being deeply involved in it. On the contrary, he admits it in his defence, and in what he stated to Lieutenant Nurse.

But his answer to this embraces, in fact, the chief scope of his defence, which is to show that his doctrines tended to make the negroes more obedient; that the negroes had long been discontented; and that this discontent arose from the treatment of their masters.

On the first of these points he adduces one planter, Mr. Van Cooten, who says, he thinks his negroes have been more obedient since they attended chapel than before; and gentlemen, this opinion of Mr. Van Cooten is the only evidence he has produced in his favour from amongst all the planters on the coast. Mr. Stewart sees no difference between the attendants on Bethel Chapel, and the rest of the gang; some were insolent, but the majority was obedient. The evidence of Mr. Stewart goes much farther, however, on the other side. What descriptions of some of these attendants at chapel; Jack and Gray, Ben, &c.; then the long list of Success negroes, who have been tried for being engaged in this rebellion, who though they were not a part of his baptized congregation, yet attended his chapel.

Mary Chisholm, who sometimes attended morning service, and sometimes when she was there, listened to the prayers of the deacons; had no fear that what the prisoner taught would make her negroes dissatisfied with her as their mistress; and she states, that the prisoner made some moral and religious comments on passages in the history of David and Ahab.

From the manner in which this witness gave her testimony, and the inconsistencies as to what she saw at chapel on the 17th, it may perhaps not be necessary to notice her statement, but it seems to make little difference any way.

The same kind of testimony as to the prisoner's doctrines is given by Bill, and Mars and Jason; but the only one who speaks positively as to any good advice being given to him in a particular case, is Philip; and if we are to exclude all evidence older than three years, this witness is inadmissible, as the fact to which he speaks happened five years ago. But I do not

Twenty-seventh Day, 19 November 1823.

not wish to deprive the prisoner of one particle of evidence which he can adduce in his favour. There is something not very clear in this witness's statement, about his master buying him at the Kitty Vendue, and this master afterwards turns out to be Miss Mary Lemon. He says he had too much work to do, and yet that he had time to work for himself; and that he actually from the profits of his labour, during this time, purchased his freedom.

These, of the whole of his congregation, are the witnesses whom the prisoner has produced to speak as to the purity of his doctrines; and amongst these is only one man who says, that in a special case the prisoner gave him good advice. The prisoner complains of the scantiness of the evidence for the prosecution, but what is to be said to the evidence in his favour.

I might safely admit the whole of the above testimony; and what, I would ask, what would it weigh against the facts proved?

It is not his sometimes preaching doctrines of obedience in the abstract that can protect the prisoner from the punishment due to his inculcating at other times the doctrine of disobedience. In one word, the prisoner is not called on to show that he was sometimes innocent, but he must prove that he was never guilty.

The prisoner seems to rely much on Mr. Austin's testimony as to what the negroes said during the revolt; but what does the same witness state to be their feelings at a calmer moment after the revolt, when they had had leisure to reflect? why, that they imputed their misfortunes to the doctrines they had heard at Bethel chapel.

The next point relates to the negroes being in a state of great dissatisfaction. The prisoner has declared over and over again he was aware of this. Does this diminish his guilt? on the contrary, it increases it an hundred fold. The more dissatisfied the negroes were, the more caution he was bound to use. He must have known that their minds in that state of irritation would be the more easily affected; that a word, which at other times would pass by unheeded, might in such a situation produce the most fatal consequences. On this principle, even could the prisoner establish the third point, which he insinuates rather than attempts to prove, namely, that the discontent arose from their treatment, it would not benefit him, for he is not charged with being the sole head and origin of the revolt. That charge, whatever might be my own conviction on the subject, it would be impossible to prove under any circumstances; all that he is charged with is exciting discontent in the minds of the negroes, as far as in him lay. He is not cleared because others did wrong; and he must show that whatever others may have done he at least had no part or share in the transaction. The prisoner is to exculpate himself, and surely cannot do this by pleading that there were others guilty besides him.

I am far, very far, from throwing out any insinuation against the planters, but I feel that I have, in this trial, nothing to do with their cause; the point at issue is the innocence or guilt of the prisoner, and with that alone have I to deal.

Thus far, however, I may go, and observe that there is great inconsistency in the defence of the prisoner. In one part he describes the negroes as the most oppressed and persecuted of human beings, who have not, in the cotton crop, fifteen minutes during the whole day to eat their food—none to cook it; and are in fact obliged to eat raw yellow plantains, and all this time they are constantly flogged. At the same time, gentlemen, it has been proved that these negroes, aye, even the field negroes, can afford to make presents to him, raise money to pay the expenses; nay, more, the repairs of the chapel; to buy books at an advance of 66 per cent on the original cost in England, and to contribute to the Missionary Society to further the propagation of the Gospel in other countries; how these miserable beings contrive this passes my comprehension. In much the same style the prisoner accuses the planters of opposing religion, and preventing the negroes attending chapel; yet the prisoner hands over to you a host of passes from these planters to their negroes to have them baptized; and he tells you, and proves it, that though his chapel had been enlarged, yet it could not contain all his congregation, and that numbers were obliged to remain outside every Sunday.

I suppose it is to this part of the subject that colonel Leahy's testimony is meant to apply; but as colonel Leahy only speaks of what the negroes told him, it leaves the matter where it was. The same remark may perhaps apply to what Mr. Austin relates; but were it otherwise, that witness proves at the best, only this, that the planters did not wish their negroes to attend Bethel Chapel, but that they did not prevent them attending the clergyman of the established church.

They had, in the character of these clergymen, and in these situations, a guarantee against any improper doctrines being taught. The prisoner, however, has himself proved, that not only were complaints made against him individually, but that the complaints were of such a nature and of such weight as to induce the governor to withhold the permission which he sought to erect another chapel. The prisoner's attempt to prove, by John Davies, that Mr. Cort said he would not grant the prisoner leave to preach on his estate is, perhaps, wholly unworthy of reply. The prisoner summoned Mr. Cort as a witness, but he would not examine him. the reason is obvious; either the thing was not so, or if it was, Mr. Cort could

Twenty-seventh Day, 19 November 1823.

have given good reasons for his refusal. The same thing precisely took place with regard to Mr. Hopkinson, and serves to show to what a strange mode of proceeding the prisoner was obliged to have recourse. At all events Mr. Austin has himself proved, that whatever might have been the complaints, this particular one about attending Bethel Chapel was removed previous to the revolt.

Not to detain the Court longer on this branch of the subject as to the doctrines of Bethel Chapel, I shall make but one remark more.

The prisoner asserts, that he made it a rule to admit no negroes to his chapel or baptism unless recommended by their masters as good and obedient servants. If these negroes were obedient when they first went to listen to his doctrines, and these same men afterwards rose in rebellion against their masters, what must we think of the doctrines which have been preached to them?

On the subject of the instructions from home regarding the slaves, and to which, as the proximate cause, this revolt has been ascribed, how did these first become known to the negroes. It is proved in evidence, and admitted by the prisoner, that Mr. Stewart heard from the prisoner, early in the month of August, of Quamina being acquainted with these instructions. The prisoner states, that Quamina had come to him to ask him about them, and he told him what they were. The prisoner is pressed to point out who first mentioned is to Quamina, and he evades this by saying he did not wish to criminate any one. This is too flimsy a pretext to deceive the most unthinking; and if the prisoner assign the knowledge the negroes had of these instructions as the cause of the revolt, it was at least incumbent on him to show that he was not the person who first gave them that knowledge or information. At present the credit of doing so rests with him; all efforts to trace it farther back are unavailing.

I have now, gentlemen, gone through the principal points, I believe, of the evidence more peculiarly belonging to the first charge; I say more peculiarly, for the whole of the evidence on all the charges seems to me to prove more or less the intention ascribed to the prisoner in the first charge.

The conduct of the prisoner through the whole appears, from beginning to end, one consistent system, one uniform plan; and, therefore, in judging of intention, it may be taken altogether; but the parts which I have thus far detailed seem to form the groundwork of the first charge, and I beg leave, ere I proceed to the next charge, to bring before you in one view the various points which I conceive already proved.

These are, that the prisoner possessed great influence over his congregation; that he was ever ready to receive and listen to the complaints of the negroes; and frequently in these cases advised them to disobey and disregard their masters.

That he taught them to consider their masters hostile to religion, and exposed, by their conduct, to the indignation of the Almighty.

Which interference with the master, and which representation of him, inevitably tended to destroy all their confidence in him, and to degrade him in their eyes. That further, the negroes were taught by the prisoner to look on themselves as persecuted for religion: that there existed great irritation and dissatisfaction amongst them; and that they murmured at not having a day to themselves. That though the prisoner well knew their minds were thus irritated, and though he was well aware that they would pervert and take as applicable to themselves any passage which could at all be brought to bear on their situation as slaves, he yet read to them the history of the deliverance of the Israelites from Egypt, and of the wars of the Jews, &c. and explained it to them in the words most exactly fitting their own condition. That he led them by example and precept to treat lightly the orders of Government.

Further, that rebellion did break out amongst the negroes on the 18th August last; that the attendants of Bethel Chapel were deeply implicated in this rebellion; and that in fact, some of the principal men in that chapel were the leaders or head men in it. Should these facts be proved, the first charge is clearly made out.

I shall now proceed to the next charges.

In his defence, the prisoner mixes up the second charge with the third and fourth; but these charges are perfectly independent of each other. To shorten the matter as much as possible, however, I shall go straight through with the facts of the case, in the order of time, up to the conclusion and close, the arrest of the prisoner; and afterwards apply them to the charges to which they belong. By what has been already stated, and by the Journal of the 23d May last, it appears, that the prisoner was well aware of the discontent amongst the negroes, and also of their being informed of the arrival of the late instructions, if, indeed, he did not himself make the first communication on this head to Quamina.

It will be proper to bear these circumstances in mind, in examining the evidence on these charges.

Manuel

Twenty-seventh Day,
19 November 1823.

Manuel states, that on Sunday the 3d, which he had mistaken for the 10th of August, Quamina and he went to the prisoner in his room up stairs, where the conversation which he then details, took place. There is an accidental confirmation of the testimony of this witness, which deserves to be marked; the commencement of the conversation refers to Mr. Cort. and Mr. Stewart's interview with the prisoner, and is most fully corroborated by Mr. Stewart's own statement of that conversation. Where did Manuel learn what passed at this conversation, if not as he states, from the prisoner himself; Manuel, after mentioning this and some other points of minor importance about the paper, as he terms it, goes on to say, that Quamina begged the prisoner to take Jack and Joseph, and talk to them, as they wanted to make trouble about this paper; they wanted to make a push for it; that the prisoner agreed to do so; and he declares, that after church he saw the prisoner take these two men aside and converse with them, namely, Jack, of Success, and Joseph, of Bachelor's Adventure, two noted ringleaders in the revolt.

This conversation the prisoner denies, but the only disproval attempted is, that he was engaged that day from seven to past four o'clock, and therefore it could not have taken place. Even in trying to prove this defence, weak as it is, he has failed completely; and had he proved it, there was still time enough in the day for such a conversation to have taken place. There was no attempt to show that Manuel had not been there, as to Manuel not finding water in the kitchen, it is unworthy of an answer.

We now come to Sunday the 17th. On this day there was a much larger congregation than usual, at least, if we are to believe the witnesses for the prosecution, together with Jason and Mary Chisholm, of the defence, in preference to Charlotte, Mars, and London.

The text which the prisoner preached from on that day, beginning at the 41st verse of the 19th chapter of St. Luke, he admits was a text so liable to be interpreted against him, that he argues from this very circumstance his ignorance of the intended revolt. Certainly, if it was by pure accident that he was led to choose a text so appropriate to the occasion, it was, to say the least of it, a most extraordinary circumstance; but when all that the prisoner admits he knew of the state of the negroes minds, and also the positive information he had already received of this intended rebellion, are considered, I may be permitted to doubt this explanation of the fact.

With regard to what took place after church on this day, there is a great deal urged by the prisoner respecting the contradictions of the witnesses on both sides, as to the time when the negroes went to the prisoner's house; some saying they went straight from chapel, others they went first to the middle walk of Success.

The witnesses for the prosecution may be easily reconciled with each other. The negroes coming out from chapel went across the middle walk of Le Resouvenir in crowds, or in a body, to the middle walk of Success, they talked of this matter as they went along; and it is very probable that Manuel had not got out of the middle walk of Le Resouvenir when he advised Bristol to go and speak to Mr. Smith. This simple explanation would remove the only difference between him and Bristol.

It is indeed precisely what Bristol says, and accords exactly with Seaton, who declares that Bristol did not go to the middle walk of Success; and further, that after he had heard a few words of what the prisoner said about the paper from home, he was told by Quamina to go to the middle walk of Success and stop the people there; that he went away, and overtook Manuel on the road to the middle walk of Success. This statement also is the one adopted by the prisoner in his defence—that he found Bristol talking to Mr. Smith about his little girl, and the rest of the negroes called in to bid him good bye before they went away. His witness Charlotte supports this, but Peter, Shute and Mary Chisholm, deny it; but how far Mary Chisholm could see may perhaps be doubted; and Shute is evidently wrong in his statement, for he says he was at the middle path, and yet Quamina, who was at the middle path also, sent Bristol to come and call him and Peter, in order that they might go to the prisoner's together; this is in direct contradiction to the prisoner's own statement. The testimony of Bristol seems therefore to be the most accurate, and indeed agrees best, as I observed, with the prisoner's own account of this transaction; nor is it contradicted by any but Shute and Manuel, the former of whom is liable to great objection, and the latter easily explained. The distance of the chapel from the meeting, I may remark, was not five minutes walk. The substance of this communication, as detailed by Bristol, is that they plainly told the prisoner they intended to take their freedom by force; that the prisoner asked them how they intended to do it; and observed that the soldiers were too strong for them; and what would they do with the whites; they answered they would drive them to town: he told them they would not go, and the soldiers would drive them back, and therefore they must not do so; they, especially the Christians, must have nothing to do with it.

Peter states it thus: Quamina told the prisoner they would drive all the managers of the estates to town, to the Courts, to see what was the best thing they could obtain for the slaves; the prisoner said that was foolish. How will you be able to drive the whites to town; and added, there was a good law now making for them, and they would lose it if they behaved so; and said, Quamina, don't bring yourself into any disgrace. To which Quamina answered, yes, sir.

Twenty-seventh Day, 19 November 1823.

Shute does not go so much into detail even as Peter, though to the same effect, but says Quamina's answer was, I will see.

The statement of Bristol is more extended than those of Shute and Peter, the prisoner's witnesses, but these witnesses all agree as to the main point, namely, their declaring to the prisoner their intention of driving the whites to town; and if this be the only thing admitted, as proved, it is quite enough for the charges which have been preferred against the prisoner. If all that Bristol stated about the soldiers be struck out, what remains is ample proof of the prisoner's guilt. At the same time the evidence of Bristol seems to me the most to be relied on, from many other parts of the evidence, and from his intelligence, which was doubtless the cause of his being raised to the post of deacon. The points at variance between the witnesses, on which almost the whole of the prisoner's summing up turns, are of little consequence. The testimony of the negroes may not agree in the insignificant parts, but it is on all essential points the same in substance. The disagreement, indeed, only removes all suspicion of collusion amongst the witnesses.

The prisoner attacks, however, the competency of negroes to give testimony at all, and seems to argue that negroes are not admitted as evidence in our ordinary Courts here. But, Gentlemen, this is contrary to the fact, and had he thought proper to raise an objection to them at the commencement of this trial, I could have brought you the decisions of the Court of Justice of the colony to show that white and free criminals have been tried and convicted on negro evidence, but the objection comes too late, and it comes with an especial bad grace from the prisoner, who rests his own innocence principally on the testimony of these people.

His arguments against their credibility, founded on their want of memory, are at once rebutted by the tales which they have told you from the Bible. This correctness as to the substance of the tale, in men who cannot read, totally disproves the prisoner's assertion. Mr. Van Cooten, though the prisoner rests much on his testimony, gives merely his opinion on this point; and even he says negroes may remember a short discourse; but you, gentlemen, have yourselves seen that they can remember a good deal more. And if the prisoner's statement be correct, that he never read the chapters to them twice, and that it is two years since he explained the history of Moses, their memories certainly cannot be called in question. I might further remark, that the prisoner formerly held these men, whose memory and whose veracity he now so violently impeaches, in a very different light. He intrusted Bristol with the examination of the candidates for baptism, with preparing them for admission to the Lord's table, instructing them in all the duties; and he now wishes to say, that Bristol is not to be believed on oath. He tells you in one part of his defence, that the negroes have no such love for truth and justice as would induce them to tell the truth on oath; and a few pages after he most inconsistently lauds them for the love of religion, a love so strongly implanted in them, that the power of man will not be able to eradicate it. And he avers, that in the midst of the revolt, and whilst they were in arms, this sense of religion governed their conduct, and restrained them from shedding blood. Surely these inconsistencies are much greater than those with which the negroes evidence is charged.

But the prisoner himself admits in his defence, that they did say something about their sending their managers to town. Let it be considered that this conversation, according to the evidence of his own witnesses, Shute and Peter, if they are to be taken in preference to Bristol, was after they had been at the Middle Walk of Success settling their plans; and then is it likely they should use the phrase of sending their managers to town, especially as he himself says they are more accustomed to the word drive; but even if they had used only the words which the prisoner says, were they not sufficiently indicative of their evil intent. But furthermore, gentlemen, that the communication of the negroes was so plain and open as to distinctly show him there was some plan on foot, we have his own admission in his letter to Jackey Reid, a point which he has carefully avoided touching on in his defence as tending to show his knowledge on the 17th.

This letter, were further proof required, demonstrates the positive knowledge of some scheme being in agitation; and therefore does away with the ignorance which the prisoner now affects.

There is no evading, no getting rid of this; and it carries back his knowledge to the 17th. I learned yesterday there was some scheme in agitation. All the witnesses who speak to this point declare that they went to the prisoner for the *express purpose of telling* him what they were going to do. And is it credible that they would walk to his house with this very intent, and then not tell him what they meant to do. *He says, it is not probable Quamina should tell me of a revolt in the presence of four men; but these four men went with Quamina, as his own witnesses say, for this express purpose, and would their presence then deter him from speaking out?*

This, however, was not the only interview he had this day with Quamina; Seaton states positively, that he returned after the meeting in Success Middle Walk had finally broken up, to Le Resouvenir with Quamina, whom he saw go into the prisoner's house; he, Seaton, went into the Negro Yard about some corn, which a woman of the name of Asia had for him. The prisoner brings against this testimony, not the evidence of Asia, who could at once have

spoken

Twenty-seventh Day, 19November 1823.

spoken to the fact, but the evidence of Charlotte and Mr. Hamilton, Charlotte, it seems was about the house till past five o'clock, though she admits people might have come into the house without her seeing them. Mr. Hamilton proves he met the prisoner walking out at a quarter or half-past six, this does not touch Seaton, who states, that when Quamina came out of Mr. Smith's house he went to Success with him, and that they reached home just as the sun went down; this would leave the prisoner time enough before he met Mr. Hamilton. We next find, that on the morning of the 18th the prisoner comes to town in his chaise; that he passes the residence of the burgher-captain of his district, the quarters of Colonel Leahy, and the garrison, and very near the residence of his Excellency the Governor, and that of his honour the President, that he repasses all these places on his way out of town, and that he returns home without breathing a syllable of what he had heard If he did not make the communication, it certainly was not from want of opportunity.

With respect to the proof of his knowledge on the 18th, the prisoner feels himself so completely cut off from the possibility of denying it, that he has recourse to an evasion which cannot serve him, he has objected to the admissibility of the evidence as to what took place on the 18th, as he says the third charge limits the day to the 17th. In answer to which, I refer to Philips' Law of Evidence, p. 229. "It is a rule in pleading, that every material fact which is issuable and triable must be averred to have happened at a certain time and place. However, it will not generally be necessary to prove the time precisely as laid, unless that particular time is material This is the constant course of proceeding in criminal prosecutions, from the highest offence to the lowest In high treason, evidence may be given of an overt act either before or after the day specified in the indictment, the particular day is not material in point of proof, and is merely matter of form. Objections of this kind, on behalf of the prisoner, have been repeatedly overruled" And it may be remarked, if this is the practice of ordinary courts, how much less reason to complain has the prisoner in a court martial, where he is allowed so many days to prepare his defence after all the evidence has been gone through, and where, of course, he cannot be taken by surprise.—This objection, therefore, cannot stand. The letters of Jacky Reed and Jack Gladstone, which were given in evidence, were too explicit to be misunderstood. The prisoner received these letters, and returned an answer to Jacky Reed before six o'clock that evening, when the messenger Guildford got out of the estate the sun was just down.

The letter of Jack Gladstone pointed the writer himself out as one of the principal men in the intended insurrection, and mentioned that the brethren of Bethel Chapel were all engaged in it This man Jack was on the next estate to the prisoner on the one side, and the burgher-captain was on the next estate on the other side, besides which, there was the manager on the estate and two overseers close to him. He had a horse in his stable, as Elizabeth says, which Charlotte denies, asserting it was loose in the yard, a thing not very likely, as the prisoner had a grass cutter in his employ, he had at all events three servants in the yard, this grass cutter, Charlotte, and Elizabeth, and what does he do? Does he make an attempt to secure the ringleader, or to give information even to the manager who was within a few roods of him? No, he was so much agitated that he went out to take a walk with his wife, and the only use he makes of these letters, the proofs of the conspirator's guilt, is to destroy them.

The revolt breaks out about half past six, as Hamilton states, or later as the other witnesses say, but up to the moment of its actually breaking out the prisoner never gave to any human being the slightest hint which might put him on his guard He attributes this all to his agitation, yet he was so far composed as to write a most cautious and guarded answer to Jacky Reed.

Cautious as the answer is, and much as the prisoner talks of his readiness to give information, do we find that he here tells Jackey to warn his master of what was to happen? Not a hint of such a thing. Would it have escaped the attention of any well-meaning man to have directed Jacky to go and tell his master immediately of this plot, and put the whites around on their guard? but he is totally silent on this head.

The more this letter is considered the more clear does the prisoner's connection with this revolt appear, the more evident is his determination not to give information on the subject, which may lead to the discovery of it, nor even in his letter to Jacky Reed does he call on him to suppress it. It is a strange fact, that the prisoner seems to have taken a resolution to this effect long before. I refer to his Journal, where he says, "Having just finished reading Mr Walker's Letters on the West Indies, I have thought much of the treatment of the negroes, and likewise the state of their minds It appears to me very probable that ere long they will resent the injuries done to them I should think it my duty to state my opinion respecting this to some of the rulers of the colony, but am fearful from the conduct of the Fiscal in this late affair of the negroes being worked on a Sunday, that they would be more solicitous to silence me, by requiring me to criminate some individual than to redress the wrongs done to the slaves, by diligently watching the conduct of the planters themselves, and bringing them to justice (without the intervention of missionaries) when they detect such abuses of the law as so frequently take place" So that it is plain he had even then made up his mind, that if any thing of the kind should take place he would let it take its course, he would not warn the authorities. The further proofs of the prisoner's previous knowledge of the revolt, are to be found in the testimony of John Bailley and John Aves

Twenty-seventh Day, 19 November 1823.

The cross-examination of John Aves has clearly established that there was no mistake between these two witnesses, as to the prisoner's having declared he knew of the revolt six weeks ago. Aves says he was walking in and out of the room, and sometimes spoke to the prisoner; that Bailley was sitting down, carrying on a conversation with him, which does away with all the prisoner's remarks on the subjebt.

It must strike every observer with the same surprise as it did John Bailley, that the prisoner should be living on the estate, the only white there except Mrs. Smith, perfectly unmolested, and as he said, perfectly secure; and the suspicion of captain Simpson, that he must have been in collusion with the negroes, is the most natural inference to be drawn from such a circumstance. But to go beyond suspicions, we find by the testimony of Mitchell, collaterally strengthened by that of Doos. That on the morning of the 19th, Quamina is traced to the prisoner's yard; at this time Doos and Mitchell prove that the men of the estate had all left it; and there was the less probability of Mitchell mistaking some of them passing for Quamina. The prisoner has said this witness is unworthy of credit; but he has neither attempted to make good his assertion, nor to disprove, by the testimony of his servants, this visit of Quamina. If his only reproach to the evidence of Mitchell be, that he expressed, in his negro language, his belief in a God above, the reproach is nothing. Peake in his work on evidence, page 149, says, in a late case Mr. Justice Buller would not suffer the particular opinions of a man professing the Christian religion to be examined into, but made the only question, whether he believed the sanction of an oath, the being of a Deity, and a future state of rewards and punishments; but a person who has no idea of the being of a God, or a future state, is not admitted. Mitchell was therefore a perfectly competent witness. The next visit of Quamina to the prisoner, on the night of Wednesday the 20th August, is fully admitted by the prisoner, and therefore it would be waste of time to go into the proof of it. The only point of difference is with regard to the shutting of the door; Antje declares it to have been shut as soon as Quamina went in; Elizabeth is brought to contradict this, she says the back door was not shut, but she admits she did not see Quamina go in; she only saw him in the hall, and when he came out. The fact of the door having been shut rests therefore uncontradicted; for all that can be said of Elizabeth's evidence is, that the door was afterwards opened, but when or by whom, whether by accident or intention, does not appear.

The fact being so fully proved, the prisoner in order to defend himself from the consequences of it starts, the three following objections:

First, He says, It is not proved that Quamina was a rebel:

Second, That he had any knowledge at the time of his being an insurgent:

Third, Nor does it appear that I gave him any intelligence, or held any such correspondence with him as can subject me to punishment.

On the first point, the prisoner admits the evidence has gone to show that Quamina was engaged in the revolt. It has indeed gone thus far and much farther, for it is proved that he was a ringleader in the rebellion, and that he was shot by an expedition sent into the bush in pursuit of him, with a promise of a reward of ƒ.1000 for his capture. It is true the shooting of him was of course subsequent to his interview with the prisoner, and this part of the proof does not apply there; but it alone answers all the arguments of the prisoner on the subject of the necessity of Quamina's being tried and convicted before he the prisoner can be punished for holding correspondence with him; for Sir William Blackstone in his Commentaries, Book 4, c. 3, and c. 25, in treating of this law, as regards the trial of accessory, points out the reason of the law to be the fear of contradiction, if the accessory were condemned to-day, and the principal acquitted to-morrow; but he adds by statute of 1 Ann. c. 29, if the principal be once convicted, and before attainder delivered by pardon, the benefit of the clergy, or otherwise; or if the principal stands mute, or challenges peremptorily above the legal number of jurors, so as never to be convicted at all in any of the cases in which no subsequent trial can be had of the principal, the accessory may be proceeded against as if the principal fellow had been attainted, for there is no danger of future contradiction.

It has been proved that Quamina was shot in open rebellion; that he is now hung in chains in Success Middle Walk, and that he declared he would never be taken alive; and can the guilty escape who aided him in his rebellion, because he, Quamina, was so bold a traitor as to persevere in his desperate career even unto death. On the second point, Of his not knowing Quamina to be a rebel;

If you, gentlemen, are to believe the conversation between the prisoner and the negroes on the Sunday, there can be no doubt of the prisoner's knowledge of Quamina being engaged in this revolt; and I beg it may be observed, that though he says he did not conceive that to be his meaning at the time, yet he admits Jacky Read's letter opened his eyes on this point, and therefore he at all events must have been perfectly aware of Quamina's guilt on Monday night. Besides, the rebellion on the same Monday night must have surely rendered it impossible for him to doubt on this point any longer. He himself tells Bailley that the negroes were all in rebellion around him: but besides this, Kitty Stewart, on the very Wednesday night of Quamina's visit, runs away from Success, the estate where Quamina lived, and comes to the prisoner to beg for protection, and to be allowed to remain in his house, as all the negroes of Success were in a state of rebellion. Look then at the anxiety of Mrs. Smith to get this woman out of the way, so that she might not see Quamina; the shutting of the door after he went in, and the threat of punishment to Elizabeth if she told any one of his having been there.

Twenty-seventh Day, 19 November, 1823.

The prisoner says these were the acts of Mrs. Smith, and do not touch him, and that he did not send for Quamina; but if he did not send for Quamina, it was at all events in unison with his wish, as is proved by Romeo.

An attempt has been made to invalidate Romeo's testimony, by proving that there was no noise on the estate on Tuesday evening; but this is beside the question, for the witness meant to describe the revolt when he spoke of the noise amongst the negroes.

The third objection, viz.—As to the kind of correspondence he had with Quamina, applies only to the second charge, and not to the fourth.

As to the precise words which at this time passed between the prisoner and the rebel Quamina, that I cannot undertake to prove, nor indeed is it at all necessary; the friendly nature of the interview is shown by the fact of Quamina's coming out of the prisoner's house with a bottle of porter, which he had not when he went in. It was most probably this bottle tied in a handkerchief, and slung at the end of his stick, that Elizabeth meant, when she said he had a bundle over his shoulder. After half an hour's conversation at the very least, Quamina departs without let or molestation; nor did the prisoner attempt, either before or after his departure, to give to the authorities any information as to this visit. He cannot plead the difficulty of making the communication as an excuse for his silence the next day, for on that day he saw Lieutenant Nurse at his own house with a strong escort of soldiers, sufficient to take him to the post at Felicity, but he never hints at any thing of Quamina's visit. Nor can it be passed over in silence that the prisoner during this revolt remained quietly seated in his house, and that no negro ever came near him to offer him any insult, or to touch his property: that every other white person within the reach of the rebels, along the coast, was treated with indignity, or forced to fly, except where protected by the soldiery.

The prisoner indeed asserts that this insurrection has been unlike any other that ever took place, either here or in Barbadoes, &c. and marked by a spirit of mildness and religion; but in the revolt of Barbadoes there was only one white man killed, and against this, what a frightful set-off does the insurrection here furnish? the violent assaults at Golden Grove and elsewhere, in which many of the whites were wounded, and above all the murders at Nabacles; these murders took place in the presence of the very Sandy, who was one of them that said we will not take life, because we cannot give it, and who by his own confession shot a negro boy; nor do I believe that any one act of violence was committed at which the christian leaders were not present.

In his defence on these charges, the prisoner avers that the negroes did not enter into a full detail of time, place and circumstance, and therefore that he could not be said to have any knowledge. What he heard could excite nothing but suspicion, which suspicion he was not bound to communicate; that all persons in the colony had at that time suspicions as to the state of the negroes.

The first part of the reasoning merits no reply, for the communication of the intention to drive the managers to town, which all the witnesses agree in saying was made, gave the prisoner the knowledge of the fact; and if all mens suspicions were at that time awake, ought he not to have treated this communication with more attention, than if made at a time when he had no previous suspicion, otherwise the effect of suspicion must be to throw a man off his guard.

In his observations on the evidence of Aves and Bailey, he asks, does the word, know, necessarily imply knowledge derived upon information or participation; does it not often imply an opinion grounded on certain data; his question answers itself. But he says, this evidence cannot affect me, for it goes to prove me to have known of the revolt six weeks before, whereas that revolt was not planned till the day preceding.

The evidence of the negroes shows the revolt was planned previous even to the six weeks; the minute details may not have been told to the common people till Sunday the 17th. The prisoner goes on to attempt to show that the revolt was to be expected from a variety of circumstances, and to defend himself, charges the authorities with being aware of the bad state of the negroes minds.

Admitting, for the sake of argument, that the authorities had reason to believe the negroes were dissatisfied, does this excuse the prisoner for not communicating to them his positive knowledge that a rebellion was actually about to break out.

With regard to the information conveyed by Jacky's letter, the prisoner says, admitting this, what further crime did I commit than captain M'Turk and others who knew it at an earlier hour; the crime does not consist in the knowledge of the revolt, but in the concealment of that knowledge. Had he done what captain M'Turk and the others did; had he given information, had he prepared to suppress it, he would have then stood on a more equal footing with them, but instead of this, he never gives any warning to a human being; he

Twenty-seventh Day, 19 November 1823.

writes to a negro on the subject, and never tells him to use his efforts in putting a stop to it, or to discover it to his master, and he destroys the strongest proof of the guilt of the ringleaders. Was this the conduct of captain M'Turk?

What he asserts of captain Spencer and others not believing it, is not proved, if it were, it would only go to show how much less certain their knowledge was than his, who held in his hand a written declaration of the intention to revolt.

Independent then of what the prisoner himself confessed to Bailey and Aves, it has, I think, been shown that he, the prisoner, came to the knowledge of the intended revolt amongst the negroes on the 10th August; that he received on this subject further information on the 17th August.

That before six o'clock on the evening of the 18th August he had in his possession a letter from one of the ringleaders, stating the time and place when and where the revolt was to commence, and that he never gave any information thereof to the proper authorities.

Any one of these facts being proved establishes the third charge, which is confined to the mere previous knowledge.

The fourth charge is satisfied by proving the bare circumstance of his being in presence of Quamina at his house on the 19th and 20th August and the friendly communication which he held with him at that time, together with the interview on the 10th and 17th of August, make out the second charge.

As in going through the defence I omitted one or two points, it is necessary for me to notice them ere I conclude, though, perhaps, this may not be the most proper place.

On the subject of the Journal, the prisoner dilates in many parts of his defence. He admits it was intended for the Missionary Society; and the instructions which have been read to you, Gentlemen, direct his keeping such a Journal. He admits further that he has sent extracts from it home; but states that for some time past he has kept it for his private use.

Whatever credence may be given to the latter part of this statement, it can have no effect on the extracts of the Journal which have been referred to in evidence, for these prove clear and distinct facts on the admission of the prisoner himself. That some of the prisoner's opinions have been mingled up with these facts, so that in quoting the one, the other came out and that these opinions have been invariably hostile to Government, and the due subordination and peace of society, is the fault not of the prosecutor but of the prisoner.

The prisoner has himself, however, cited his opinions in the Journal in his Defence, and nothing further need be said on this subject.

In his reply to the 1st charge, the prisoner sets out by avowing his aversion to slavery; whether it be well or ill-founded; whether his opinion on this head be true or false, is not the question; but it seems to me that no man has a right to publish sentiments which can only tend to the subversion of the society in which he lives.

The remarks on Dr. M'Turk's evidence were answered in their proper place; but the prisoner urges two objections against this evidence altogether, which have been omitted; first, that it cannot be received under any of the charges; second, that it relates to matter more than three years ago, and is barred by the 158th section of the Mutiny Act.

It may be very convenient for the prisoner to get rid of all evidence that affects his character, or that goes to show he was a bad subject; that he possessed great influence over the negroes, and determined to use that influence in defiance of the constituted authorities; but if evidence such as this be not admitted, how can any man be convicted of the crime here charged. The 158th Section of the Mutiny Act has, as far as I can see, nothing to do with the question. It declares that the specific act for which a man is tried must have taken place within the three last preceding years, but it does not prohibit evidence tending to establish the crime being adduced, though of a date antecedent to that. It in fact never hints at fixing any period as to the admissibility of evidence. Supposing a man had been for ten years gradually sapping the principles of the soldiers with intent to excite them to mutiny, and that such mutiny had at length broken out in the year, 1820 for instance; I should suppose he could plead this section of the act if tried for that specific meeting in the year 1824; but if brought to trial within the three years, can there be any doubt of the admissibility of evidence to prove the system on which he had been acting, though that evidence went back to the very commencement of his seditious practices ten years before.

The prisoner proceeds to animadvert on Dr. M'Turk's conduct in arresting him, he says that he was not required as a soldier, and Dr. M'Turk's order was a mere pretence. To support this he has produced captain Simpson, who says the ground of his arrest was that he looked on the prisoner's remaining on the estate alone as a very suspicious circumstance. Supposing then that Dr. M'Turk did not require him as a soldier, taking his own version of it, what does he make of it after all, why, that Dr. M'Turk, who in such times had full power to arrest all suspicious characters, did not wish to use any harshness which could possibly be avoided, and chose rather to remove by gentle means, without hurting his feelings, the prisoner, to a place of security, than to do this by a direct arrest. It was not his wish to arrest him; on the contrary he wished to avoid it. Supposing this, does it discredit Dr. M'Turk?

Twenty-seventh Day, 19November 1823.

I have now gentlemen, gone through what occurred to me as the principal parts of this most important trial. No one can be more sensible than myself of the inefficient manner in which this task has been executed; but gentlemen, I throw myself on your candour, and freely acknowledge all its defects. I have only to thank you, as I do most heartily, for the great indulgence you have shown me during these proceedings. I shall not detain you longer, but commit at once the case into your hands, fully convinced that whether your decision be the acquittal or condemnation of the prisoner, it will do ample justice between the parties at your bar.

(signed) *J. L. Smith*, Jun.

The Court was cleared for deliberation, and subsequently adjourned.

24th November 1823.

24November 1823.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charges preferred against the prisoner, John Smith, as well as the statements made by him in his defence, and the evidence thereon; With respect to the first charge, to wit, "For that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion which broke out in this colony on or about the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance and against the peace of our Sovereign Lord the King, his crown and dignity," Is of Opinion, that he, the prisoner, John Smith, is guilty of thus much thereof, to wit, "For that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion which broke out in this colony on or about the 18th of August now last past, did promote discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers," but acquits him of the remainder of the said charge, for want of sufficient proof in support thereof.

With respect to the second charge, namely, "For that he, the said John Smith, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding touching the same, with the said negro Quamina, to wit, on the 19th and 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein," the Court is of Opinion, that he, the prisoner, John Smith, is guilty of so much thereof as follows, viz. "For that he, the said John Smith, having, about the 17th day of August last, and on one day theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina, to wit, on the 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein," and acquits him of the remainder of the said charge.

With respect to the third charge, "For that he, the said John Smith, on the 17th August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion intended to take place within this

24 November 1823. this colony, did not make known the same to the proper authorities; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past, the Court is of opinion that he, the prisoner John Smith, is guilty thereof.

With respect to the fourth charge, *viz.* "For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th August now last past, was at plantation Le Resouvenir, in presence of and held communication with Quamina, a negro of plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein; and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina as a prisoner, or by giving information to the proper authorities or otherwise; but on the contrary permitted the said insurgent Quamina to go at large, and depart without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of Martial Law issued by his Excellency the Lieutenant Governor." The Court is of opinion, that he, the prisoner, John Smith, is guilty of so much thereof as follows, namely, "For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on Wednesday the 20th of August now last past, was at plantation Le Resouvenir in presence of, and held communication with Quamina, a negro of plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein; and that he, the said John Smith, did not use his utmost endeavours to suppress the same by giving information to the proper authorities, but on the contrary, permitted the said insurgent Quamina to go at large, and depart without giving any information respecting him to the proper authorities, against the peace of our sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of Martial Law issued by his Excellency the Lieutenant Governor," and acquits him of the remainder of the said charge.

Sentence.

THE Court having thus found the prisoner, *John Smith*, guilty, as above specified, does therefore sentence him, the prisoner, *John Smith*, to be hanged by the neck until dead, at such time and place as his Excellency the Lieutenant Governor and Commander in Chief may think fit to direct. But the Court, under all the circumstances of the case, begs humbly to recommend the prisoner *John Smith*, to mercy.

(signed) S. A. GOODMAN,
L^{t} C^{l} and Pres^{t}

(signed) *J. L. Smith*, jun.
Assist^{t} Judge Advo^{e}

Approved,

(signed) *John Murray*,

Mr. Smith died
a natural death in the Colonial Jail.

II.

DEMERARA.

FURTHER PAPERS,

VIZ

Return to an Address of The Honourable the House of Commons,
dated 13th April 1824;—

(As far as it can be complied with)

for

Copies or Extracts of CORRESPONDENCE with the Governors of Colonies in the West Indies, respecting INSURRECTION of SLAVES; from the 1st of January 1822 to the present time; with MINUTES of TRIALS.

Colonial Office,
Downing Street,
21st May 1824.

R. J. Wilmot Horton.

Ordered, by The House of Commons, *to be Printed,*
21 *May* 1824.

SCHEDULE.

N° 1.—Extract of a Despatch from Major-general Murray to Earl Bathurst; dated
24th August 1823. (3 Enclosures.) - - - - - - p. 5.

N° 2.—Copy of a Despatch from - - ditto - - to - - ditto - dated
26th August 1823 - - - - - - - - - p. 8.

N° 3.—Ditto - - - - from - - ditto - - to - - ditto - dated
31st August 1823 - - - - - - - - - - - - p. 8.

N° 4.—Ditto - - - - from - - ditto - - to - - ditto - dated
4th September 1823 - - - - - - - - p. 9.

N° 5. *a.*—Ditto - - - - from - - ditto - - to - - ditto - dated
21st October 1823 - - - - - - - - p. 9.

N° 5. *b.*—Ditto - - - - from - - ditto - - to - - ditto - dated
21st October 1823. (1 Enclosure.) - - - - - p. 10.

N° 6.—Ditto - - - - from - - ditto - - to - - ditto - dated
2d December 1823. (1 Enclosure.) - - - - - p. 13.

N° 7.—Ditto - - - - from - - ditto - - to - - ditto - dated
2d December 1823. (1 Enclosure.) - - - - - - p. 14.

N° 8.—Ditto - - - - from - - ditto - - to - - ditto - dated
25th December 1823 - - - - - - - - p. 61.

N° 9.—Ditto - - - - from - - ditto - - to - - ditto - dated
26th December 1823. (2 Enclosures.) - - - - - p. 61.

N° 10.—Ditto - - - - from - - ditto - - to - - ditto - dated
7th February 1824. (1 Enclosure.) - - - - - p. 63.

N° 11.—Ditto - - - - from - - ditto - - to - - ditto - dated
14th February 1824. (14 Enclosures.) - - - - - p. 65.

The ENCLOSURE in N° 7, consists of

Copies of various EXAMINATIONS taken by the Committee of Evidence; September——November, 1823.

The 14 ENCLOSURES in N° 11, consist of

Copies of PROCEEDINGS against certain Individual Slaves, who have been capitally convicted of High Treason.

II.

FURTHER PAPERS

RELATING TO INSURRECTION OF SLAVES IN DEMERARA.

— N° 1. —

Extract of a LETTER from Major General Murray to Earl Bathurst; dated Demerara, 24th August 1823.

N° 1.
Letter from
Maj Gen. Murray.
24th Aug 1823.

THE despatch I had the honour to address to your Lordship on the 14th instant will have evinced the ready acquiescence of the planters here in His Majesty's commands and suggestions for improving the condition of the slaves. I am sorry to have now to report to your Lordship, for His Majesty's information, the dreadful change which has occurred in the aspect of affairs, by the sudden revolt of the slaves on the east coast of this colony generally, from within a short distance of George Town nearly to Mahaica Creek; this, I apprehend, is not an unnatural result of misconception as to the discussions and numerous publications that have lately occurred with respect to their state.

On Monday the 18th instant, I received information that the slaves were to rise throughout the colony, on that or the succeeding night; but their measures had been concerted with such expedition and secrecy, that few people, even under the existing susceptibility, were prepared to believe it, nor did I attach any credit to the story myself.

I however deemed it my duty, and accordingly hastened to the spot of information, accompanied by the fiscal, while a few militia dragoons proceeded thither by a different route, to act as couriers if required. The examinations there taken confirmed the information given, and I pushed forward dragoons, with orders to the military stationed at Mahaica, in which direction I proceeded myself, having information of a supposed ringleader at Vreyheid's Lush. I turned in there, in time to secure him. It was then dark; and immediately afterwards a report reached me that plantation Success was on fire. I pushed on, and at the bridge of Plantation Le Souvenir (Post's) passed a body of armed negroes, who disputed the passage; but perceiving that there were not above forty, I returned to ascertain their views, which they stated to be unconditional emancipation. I expostulated with this body for at least half an hour, and explained how much such conduct put it out of my power to carry into effect the beneficent views of His Majesty for bettering their condition; explained the abolition of the flogging of females and the carrying whips to the field as but first steps to the intended measures. These things, they said, were no comfort to them; God had made them of the same flesh and blood as the whites; they were tired of being slaves; their good King had sent orders that they should be free, and they would not work any more. I assured them that if by peaceable conduct they deserved His Majesty's favour, they would find their lot substantially though gradually improved; but they declared they would be free; and as their numbers had increased to between two and three hundred, and that a mounted negro persisted in sounding a shell, I was apprehensive of my retreat being cut off, and returned towards town. Those in the rear of this column were repeatedly insisting on firing upon our little party, but this being opposed by those in front, by those with whom I was in parley, we retired unmolested. I now perceived flashes in all directions; but no attempt was made upon us, except in passing Plantation Plaisance, where a tardy rush was made at us, and a shot or two fired.

I was happy to find all quiet in town; and having moved detachments on the disturbed districts, I directed the rifle company of town militia to follow the regular troops, which it did with an alacrity that was highly creditable to its discipline, and having made the best general disposition that my very limited means would allow, I called the Court of Policy together, and at noon (my arrangements being completed) declared martial law.

I placed

N° 1.
Letter from Maj. Gen Murray, 24th Aug. 1823.

I placed the George Town brigade under the orders of Lieutenant-colonel Goodman, to which was soon added a provisional battalion under Major Frankland; and the marine battalion under Captain Muddle Rix, and Lieutenant-colonel Leahy, 21st Fusileers, marched that night with a strong detachment of his regiment and militia, to take command of the force more actively employed.

Wherever these detachments came up with bodies of the insurgents, they endeavoured to persuade them to lay down their arms and return to their allegiance; nor were forcible measures resorted to, until expostulation had failed, or the rebels had given the first fire: they were universally routed, except on the morning of the 19th, near Mahaica, where they compelled a small detachment of the 21st, commanded by an excellent officer, Lieutenant Brady, to retire on his post, which, with sixteen rank and file, he effected in an officer-like manner against a determined body of seven or eight hundred well armed-men, who used every endeavour to surround him.

On Tuesday night, the 19th, the rifle company, under Captain Croal, dislodged a strong body from Elizabeth Hull, having killed and wounded a number of them; and on Wednesday, at day light, Lieutenant-colonel Leahy having been joined by this company, found himself between two large bodies, which, after every expostulation for above an hour, which seemed but to increase the insolence of the revolted, he charged simultaneously, and dispersed them with considerable loss.

While these things were occurring, I issued a proclamation, addressed to the peaceable portion of the United Colony, which was diligently explained in all directions, and generally well received. I then endeavoured to bring the misguided back to their duty, under instructions, of which I also enclose copies, and finding that many manifested a desire to return to their respective estates, I issued the proclamation N° 3.

I am happy to be able to report to your Lordship, that the majority of the less guilty have returned to their labour; in one or two instances they have surrendered their arms with good faith, but in general that pledge of their sincerity has been withheld.

I am highly indebted to Captain Simpson, and our little troop of cavalry, for their exertions and gallantry in rescuing the whites from the stocks in which they were confined. The infantry were also useful; and Captain M'Turk, with the militia under his command, has been extremely active. A company of the 1st West India regiment, under Captain Stewart, has conducted itself with zeal and fidelity: it was sometimes detached, and at others acted with the 21st and rifle corps.

It is evident that this mischief was plotted at the Bethel chapel, on Mr. Post's estate; that the leaders are the chief men of that chapel; that the parson could not have been ignorant of some such project under these circumstances; and, in consequence of his having refused to arm in opposition to them, he was sent in a prisoner by Captain M'Turk; and as our situation was the most critical, I detained him on his parole at the colony house. I am also most truly sorry to say, that the conduct of another missionary, during this scene of confusion, has been such as to render it necessary to detain him a stricter prisoner, though merely on account of the difficulties we are placed in. I hope this rebellion will soon be put down; but should it become more general, as there is great cause to apprehend, it will not be possible for me to give protection to the country, unless the commander of the forces can spare me very strong reinforcements, for which I have applied.

I trust that the fatigues I have undergone, both night and day, will induce your Lordship to pardon the haste with which I write.

(Enclosure 1. in N° 1.)

PROCLAMATION

Demerara and Essequibo,
(L. S.)
John Murray.

By His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.

VARIOUS measures being in contemplation by His Majesty's Government for meliorating the condition of the slave population in the colonies, and of progressively qualifying them for an extension of privileges, I have deemed it expedient to issue this my proclamation, hereby notifying to that part of the slave population of this united colony, which still continues faithful and obedient to their masters, that any general misconduct or acts of insubordination on the part of that population, similar to those evinced by the unfortunately misguided slaves on some of the estates to

N° 1.
Letter from Maj. Gen. Murray 24th Aug. 1823.

to windward, cannot fail to render totally abortive the proposed measures of His Majesty's Government, which depend necessarily on their peaceable, temperate and and industrious behaviour; an opposite line of conduct will forfeit all their claims upon the liberality of the British Government, and utterly disqualify them from benefiting in any manner by its favourable disposition towards them.

The consequence of the misconduct of those slaves is, that they are at this moment suffering all the horrors attendant on the existence of martial law, which I have been compelled to put in force in that part of the colony, with all its accompanying severity.

Given under my hand and seal of office, at the King's house in George Town, this 20th day of August 1823, and in the fourth year of His Majesty's reign,

GOD save the King.

By command of his Excellency
the Lieutenant-general.

John Murray, Gov. Sec.

(Enclosure 2. in N° 1.)

HEADS under which you are authorized to communicate with the body of Negroes, said to be assembled or any other body of revolted Negroes you may fall in with.

First.—Your revolt has already proved to you your weakness.

Second.—It is true that the Court of Policy, in conjunction with your masters, were desisous of amending your state, by making certain regulations favourable to your comforts.

As a first step to this, the flogging of women, and the carrying the whip or other instrument of punishment in the field, were about to be immediately abolished, and a law was in preparation to that effect.

Other improvements were to have followed, if deemed such as you could be deserving to receive.

You have now forfeited all claim to favour, and the only hope that the measures intended will not be stopped for ever, depends on your immediate and unconditional return to your duty.

You must lay down your arms, and come in within twenty-four hours, and your Governor will extend what mercy is possible to you.

Depend however on this, that whatever commands the King sends here, always have been and always will be strictly obeyed.

(Enclosure 3. in N° 1.)

PROCLAMATION

Demerara and Essequibo,
(L. S.)
John Murray.

By His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.

WHEREAS a disposition is stated to have manifested itself among some slaves now assembled in arms on the east coast of this colony, to return to their duty and allegiance, and it having been reported to me that many faithful and well-disposed slaves have been forced by the more evil-minded among them to join their revolt, and are still continued among them, either by force or by apprehension of the consequences of their having appeared in arms. I have thought fit to issue this my proclamation, hereby offering a full free pardon to all slaves (provided they shall not have been ringleaders or guilty of aggravated excesses) who, throwing themselves upon my clemency, shall, within forty-eight hours after the promulgation of this my proclamation, deliver themselves up to any burgher, captain or officers commanding detachments or parties of troops, giving up their arms, accoutrements and ammunition, as pledges of their sincerity.

And I do hereby order and enjoin all slaves at present in rebellion, to lay down their arms and return to their labour, when such mercy as their compliance may justify will be extended to them; in default of which, and after the expiration of forty-eight hours as aforesaid, all such as shall be found in arms must be dealt with as rebels, and can place little hope in mercy.

Given under my hand and seal of office, at the King's House in George Town, this 22d day of August 1823, and in the fourth year of His Majesty's reign.

GOD save the King.

By command of his Excellency
the Lieutenant-governor.

John Murray, Gov. Sec.

— N° 2. —

Copy of a DESPATCH from Major-general Murray to Earl Bathurst; dated 26th August 1823.

My Lord, Demerara, 26th August 1823.

N° 2.
Despatch from Maj. Gen. Murray, 26th Aug. 1823.
N° 243

THE despatch I had the honour to address to your Lordship on the 24th instant, *via* Glasgow, will have informed your Lordship of the alarming condition of this hitherto peaceful colony.

I am happy at being able so soon to acquaint your Lordship, that most of the revolted negroes have availed themselves of my proclamation and surrendered; the more desperate are, however, still in arms, and from the facilities which this country particularly affords them, contrive to elude my parties.

The Indians are moving to my assistance, and when they arrive the revolt will, I trust, be completely crushed. I have warned them of the consequences of exposing themselves to the Indian mode of warfare, but must avail myself of it as my only resource. Even with their aid there may be great difficulty in taking them all, or preventing their forming a formidable establishment in the woods.

All the bridges that were destroyed by the insurgents have been repaired, and the communication is open along the entire line of operation.

A number of chiefs of the rebellion have been taken or given up, some were executed on the spot, and a general court-martial is sitting in George Town for the trial of others; Lieutenant-colonel Goodman is president, and Mr. President Wray has accepted militia rank and become a member.

I shall not fail to seize the first justifiable period for restoring to the colony its regular course of law, consulting with the President thereon; but the alarm of the white inhabitants is too great and too general to lead me to hope for an early return of confidence; they at present place none but in their arms, and a rigorous militia service must be permanently resorted to.

I have not heard of any whites having been deliberately murdered by these misguided slaves. At Plantation Neabaclis, where the whites were on their guard and defended the buildings, two out of three were killed, one of whom after they were overpowered, though disabled by gunshot wounds, was sabred by the negroes; all they laid hold of were put in the stocks, some severely beaten, and many told that they were reserved for an early doom.

They arranged it so that no whites should be confined by the slaves under their immediate direction; a noise or fire was made in the negro yard, and when the whites ran out to inquire what was the matter, they were seized by strangers, whilst others took possession of their houses, arms, &c.

My reports from Essequibo and all other parts of the colony continue satisfactory, but the militia is called out throughout the united colony to protect the fire-arms which are collected in depôts.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

— N° 3. —

Copy of a DESPATCH from Major-general Murray to Earl Bathurst; dated 31st August 1823.

My Lord, Demerara, 31st August 1823.

N° 3.
Despatch from Maj. Gen. Murray, 31st Aug. 1823.
N° 245.

THE peaceable aspect which affairs had assumed here, when I last had the honour to report to your Lordship (26th instant) has, I am happy to acquaint your Lordship, not been materially interrupted since; an evil spirit does, however, still manifest itself: there are about a hundred negroes still unaccounted for, and about the same number of arms.

The two principal leaders belong to Plantation Success, Quamina Gladstone and his son Jack, who have escaped into the woods with a small party of men, and eight or ten women. They are pursued by a party of militia, under Captain M'Turk, 2d battalion Demerara militia, and sixty Indians. Major St. Gravesande, with a party of the same battalion, and the Mahaiconi Indians, have also moved up the Mahaica Creek to intercept them.

I have instituted a commission to collect facts relative to the revolt, that your Lordship may be furnished with every authentic information on the subject. The Commissioners are not to embody any opinion.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

— N° 4. —

Copy of a DESPATCH from Major-general Murray to Earl Bathurst; dated 4th September 1823.

N° 4.
Despatch from Maj. Gen. Murray. 4th Sept. 1823.
N° 246.

My Lord, Demerara, 4th September 1823.

I HAVE the honour to acquaint your Lordship that affairs here continue in the same satisfactory course they were taking, when I had the honour to address your Lordship, on the 31st ultimo. The parties detached into the woods have returned, after having ascertained that the rebels had previously moved outwards.

The Commander of the Forces will have acquainted your Lordship with his inability, under existing circumstances, to send me any reinforcements. I must depend on my own resources in any future emergency, and will not fail to be prepared accordingly.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

—N° 5. *a.*—

Copy of a DESPATCH from Major General Murray to Earl Bathurst; dated 21st October 1823.

N° 5.
Despatch from Maj. Gen. Murray. 21st Oct. 1823.
N° 247.

My Lord, Demerara, 21st October 1823.

HAVING had the honour to report to your Lordship, on the 24th August, the circumstances under which I had felt myself compelled at that unsettled period of affairs in this colony, to detain two missionaries as prisoners in George Town, I deem it my duty to acquaint your Lordship, that affairs having so far re-assumed their usual appearance of tranquillity, as to prevent any serious disorder from arising out of the contempt manifested by one of those individuals for all orders or authority, and no criminal accusation having appeared against him as connected with the rebellion, I was soon afterwards enabled to liberate him.

With respect, however, to Mr. John Smith, the other person alluded to, who was established at Plantation Le Resouvenir, such serious charges appeared in the course of investigation against him, as to compel me to place him in close confinement, and ultimately to bring him to trial under charges of which I have the honour to enclose a copy for your Lordship's information.

In bringing this man to trial, under present circumstances, I have endeavoured to secure to him the advantage of the most cool and dispassionate investigation, by framing a court entirely of officers of the army, who, having no interest in the country, are without the bias of public opinion, which is at present so violent against Mr. Smith, that I have deemed this an essential point; the only exception I have permitted, is the appointment of his Honour the President (Lieutenant-colonel Wray) as a member, who had kindly volunteered his service at the commencement of these investigations, and has continued throughout to render me his most valuable assistance with a degree of zeal for the public service which I cannot too highly appreciate.

I shall not fail to give your Lordship immediate information of the result of Mr. Smith's trial.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

— N° 5, *b*. —

N° 5, *b*. Despatch from Maj. Gen. Murray. 21st Oct. 1823.

N° 248.

Copy of a DESPATCH from Major-general Murray to Earl Bathurst; dated 21st October 1823. (One Enclosure.)

My Lord, Demerara, 21st October 1823.

I HAVE the honour to enclose the proceedings of a general court martial, held in this colony on the 29th August, on the negro *Inglis*, belonging to Plantation Fowlis.

The Court has earnestly recommended the prisoner for mercy; but considering myself precluded, under my instructions, from the power of granting pardon, in cases of high treason, I do myself the honour of enclosing the proceedings to your Lordship, with a view to obtaining His Majesty's most gracious commands herein.

I have the honour to be, my Lord,
Your Lordships most obedient humble servant,
(signed) *John Murray*.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, in pursuance of a Warrant, and by virtue of an Order of His Excellency Major-general JOHN MURRAY, Lieutenant-governor and Commander-in-chief in and over the United Colony of *Demerara* and *Essequibo*, &c. &c. &c., and continued by adjournment to the 29th;—

PRESIDENT,
LIEUTENANT COLONEL STEPHEN ARTHUR GOODMAN,
Commandant of the George Town Brigade of Militia:

Members:

Lieutenant Colonel Charles Wray, Aid-de-camp to His Excellency the Commander-in-chief.
Major Thomas Franklin, Commanding Provincial Battal. D.M.
Captain Thomas Fairweather, 21st Regiment,
Captain Charles Playter, 1st Battalion Demerara Militia,
Captain Arthur M'Kenzie, 1st Battalion D. M,
Captain George Lawson, 1st Battalion Demerara Militia.

Major Henry Tulloch, 1st Battalion Demerara Militia.
Captain William Killikelly, Dep. Ass. Quarter-master-general,
Captain Edward B. Gapper, Royal Artillery.
Captain James H. Albony, R. Artillery Com. Dem. Militia,
Captain William Lyng, 1st Battalion Demerara Militia.
1st Lieut. John B. Ferguson, 1st Battalion Demerara Militia.

THE Court being duly sworn, and Robert Edmonstone, Esq. acting A. D. C. to Lieutenant-colonel Goodman, having been duly sworn to interpret faithfully, proceeded to the trial of the negro *Inglis*, belonging to the Plantation Fowlis, on the following charge preferred against him.

Charge.

CHARGE preferred by order of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c. against the negro *Inglis*, belonging to Plantation Fowlis; FOR having, on or about the night of the 18th instant, been in open revolt and rebellion, and actively engaged therein, against the peace of Our Sovereign Lord the King, and the laws in force within this colony, and also for aiding and assisting others in such rebellion.

(signed) *V. A. Heyliger*, Judge Advocate.

Plea.

To this charge the Prisoner pleaded, Not Guilty.

To see a negro that was wounded at Mahaica.

Hubert Whitlock, an inhabitant of this colony, being duly sworn, deposed as follows: He knows the prisoner, his name is Inglis; I was examined on the trial of Murphy, and on the trial of Philip; after I was released from the stocks, as I before stated, I was again put in; I went to the Negro-house to see him, and there I met the

No. 5, b.
Despatch from
Maj.-Gen. Murray,
21st Oct. 1823.

the prisoner; he belongs to our estate; I asked him where he came from, he said he came from Mahaica; I asked him if he had seen Fowlis, the negro that was wounded, he said he saw him wounded and accompanied him home; Fowlis was dead by the time I saw him, he got a ball in the pit of his belly; Inglis said he had died on the road; it was seven or eight miles from Plantation Fowlis to Mahaica; during the time I was there, my overseer came; I am manager and attorney; his name is Cowan; five men who were my guard in the stocks accompanied me to the Negro-house; the guards when my overseer came had a few words whether we were to go back to the stocks or not; the prisoner gave it his opinion that it was best that we should be put back; the guards were three belonging to the estate and two strangers. I am certain the prisoner gave that opinion. He was not armed, and I do not believe he had us put back with any bad intention, but for fear the guard should be censured by Telemachus; when he came we were put back. I always thought the prisoner a very good negro, and he is head driver; he was a quiet man, and liked by the people on the estate, and had great influence over them; I never punished the man in my life; I have had him under me about fifteen months, but knew him before that. On Tuesday night after I was released by Telemachus, I got into the Cotton; I went through it to the plantation walk, and from thence to the watchman's house; I found the watchman at his post, and remained there until four o'clock in the morning; I then sent the watchman to see if I could get home safe; he came shortly afterwards, and said he had met the prisoner with the women gang and the children, at the end of the plantation walk, coming to me for protection; I told them to accompany me home, which they did about half way, in which time I learnt by their conversation that the military were at Paradise, the next estate. I told the prisoner I would join the military, as I was afraid, if I returned again, they would put me in the stocks; he assured me that I should not, and begged me to accompany them home: this was Wednesday morning; I said I would not, and jumped over the trench. I got safe to Paradise with my overseer, who had been with me all that night. I remained at Paradise until after the action at Bachelor's Adventure, when I was accompanied by the prisoner and second driver home.

Mr. M^{c}Arthur, the manager of Paradise, wished me to go home, but seeing the second driver, named Baird, whom I knew would stand true, and the prisoner, I went home with them. Three dead men were brought home that forenoon, and one very severely wounded, who afterwards died. I left the prisoner, to assist the carpenter to make the coffins, and attend the wounded man, from whom he extracted the ball. The next time I saw the prisoner, he was in custody in town. I have no interest or property in the estate; I am merely manager and attorney. He said in the conversation I mentioned above, that he saw Fowlis drop when the shot struck him, but that he was not so near as the negro Demean, which Demean was present when I was released from the stocks. The three dead and two wounded I have mentioned, belonged to Plantation Fowlis.

(Question by the Prisoner.)—Did you observe me doing any harm in the whole of this business?—No, nothing more than I have stated.

Biddy Cells, an inhabitant of this colony, resident at Fowlis, being duly sworn, deposed as follows. She knows the prisoner; he belongs to Fowlis: I live there. About Monday night, the 18th, I was in bed; I heard a noise round the house; I got up; Mr. Whitlock was up before me. I saw the negroes in great numbers of the first gang; I did not know but one, Caleb, who belongs to Paradise; they ordered the doors to be opened; Mr. Whitlock would not open it, and they broke it open; Mr. Whitlock then unbolted the chamber-door; he had his musquet, and would have fired, but I went on my knees and begged him not. After they came in, they snatched the gun out of Mr Whitlock's hand; they searched all about, and took another gun. The man Caleb told me if I did not show him where the powder and shot were, he would blow my brains out; they found it out before I had time to show it. They then went up into the overseer's chamber, and took away his clothes and watch. Caleb had a sword or cutlass.

The prisoner came with the second gang before day-break; there was a tall man with them, Telemachus; they called out, it is time to turn negroes to the field. Mr. Whitlock said he had given them all that he had already. They said, No; that they wanted Mr. Whitlock himself. I saw the prisoner; he told me Mr. Whitlock should be loose in the morning, not to make myself uneasy. I saw Inglis and Daniel; they helped to drag Mr. Whitlock down the stairs; they two and Telemachus had hold of him. I could see better than Mr. Whitlock, and told him of it. That was the last I saw of the prisoner.

(*Question by Prisoner.*)—Did you see me assist in dragging Mr. Whitlock from the house to the stocks?—I saw him drag Mr. Whitlock down the stairs, but cannot say whether he dragged him to the sick-house or not, there were so many about.

(*Question by the Court.*)—Was the prisoner armed?—I am sure he had a cutlass in his hand. I saw prisoner after Mr. Whitlock was in the stocks; he said they had put every manager in the stocks, and it was impossible to let out Mr. Whitlock. I have had no quarrel with the prisoner.

Hubert Whitlock was again called into Court, and stated as follows. I cannot say who seized me when I was taken down stairs; I was surrounded by many at the time I was seized. I was watching Daniel, who was going round the house in the manner I mentioned yesterday; I am sure Daniel was not one who dragged me down stairs; he was out of the house; there was no light in the house; I believe there was no candle; I did not see the prisoner amongst those who took me to the stocks; he might be the man who seized me, there were so many, from 200 to 300, an immense number; as soon as they called out "we have him," Daniel immediately joined. I cannot say who was the man that took me down stairs; I cannot swear either that it was or was not the prisoner.

Defence.

Here the prosecution closed, and the prisoner being put on his defence, stated as follows:—On Sunday, Daniel called a meeting of the negroes, and then ordered the women to leave them. After remaining an hour, Joseph, came, having a Bible in his hand, which he gave to Daniel, who ordered us all to kiss the Bible, for that the King had sent us a good thing, but the planters said it was too good for us, and that all the negroes were to join from town upwards, and to be joined also by one thousand bush negroes. After this I left them and went to my bed. Baird, the second driver, told me he believed the story, as a man from Good Hope was going round with a paper. On Monday night I went to bed, and was awakened by a noise; when I got up and went to the manager's house, and found that he was already put in the stocks, and a guard of four men had been placed over him. Joseph then said that not one of us was to remain on the estate, but go along with him: when we reached Haslington it was nearly day light; I had neither gun nor cutlass; I was unarmed. Joseph forced me to go; Daniel, Joseph and Philip were the leaders; I did not lay hands on the manager; I never injured a white man in the whole of the business,

The Defence closed, and the Court proceeded to deliberate.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Inglis, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Inglis, is guilty of the charge preferred against him, and does, therefore, sentence him, the prisoner Inglis, to suffer death at such time and place as his Excellency the Commander-in-chief, may deem fit.

(signed) *S. A. Goodman,* Lieut.-col. Commandant G. B. M.

(signed) *V. A. Heyliger,* Judge Advocate.

Approved. Execution stayed.

(signed) *John Murray,* Commander-in-chief.

The Court most earnestly recommend the prisoner to mercy.

(signed) *S. A. Goodman,* Lieut.-col. Commandant G. B. M.

(signed) *V. A. Heyliger,* Judge Advocate.

— N° 6. —

Copy of a DESPATCH from Major-general Murray to Earl Bathurst; dated 2d December 1823.

N° 6.
Despatch from Maj. Gen. Murray. 2d Dec. 1823.
N° 249.

My Lord, Demarara, 2d December 1823.

THE general court martial before which Mr. John Smith, of the London Missionary Society, was tried, having sentenced him to be hanged, I have, after mature consideration of the proceedings, felt it my painful duty to approve its sentence.

But the Court having, under all the circumstances of the case, humbly recommended him to mercy; I do myself the honour of transmitting the proceedings, with a view to their being laid before His Majesty, for His Royal consideration.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

CHARGES Preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c. against *John Smith*, Missionary.

1st.—FOR that he, the said *John Smith*, long previous to, and up to the time of a certain revolt and rebellion, which broke out in this colony, on or about the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers and overseers; he, the said John Smith, thereby intending to excite the said negroes to break out into such open revolt and rebellion against the authority of their lawful masters, managers and overseers, contrary to his allegiance, and against the peace of our Sovereign Lord the King, his crown and dignity.

2d.—For that he, the said *John Smith*, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in such rebellion, by advising, consulting and corresponding, touching the same, with the said negro Quamina; to wit, on the 19th and 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein.

3d.—For that he, the said *John Smith*, on the 17th of August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion, intended to take place within this colony, did not make known the same to the proper authorities, which revolt and rebellion did subsequently take place; to wit, on or about the 18th of August now last past.

4th.—For that he, the said *John Smith*, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th of August now last past, was at Plantation Le Resouvenir, in presence of and held communication with Quamina, a negro of Plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein, and that he, the said John Smith, did not use his utmost endeavours to suppress the same by securing or detaining the said insurgent Quamina as a prisoner, or by giving information to the proper authorities or otherwise, but on the contrary, permitted the said insurgent Quamina to go at large and depart, without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law issued by his Excellency the Lieutenant-governor.

(signed) *V. A. Heyliger*, Judge Advocate.

—N° 7.—

Extract of a DESPATCH from Major-general Murray to Earl Bathurst; dated 2d December 1823.

N° 7.
Despatch from Maj. Gen. Murray. 2d Dec. 1823.

N° 253.

My Lord, Demerara, 2d December 1823.

I HAVE the honour herewith to transmit all the information which I have been able to obtain, by means of the Board of Evidence, of facts connected with the late unfortunate insurrection of the slaves on the east coast of Demerara; in collecting which I have taken every care, and strictly enjoined that no circumstance stated should be withheld, whether its tendency be favourable or otherwise to the system of the colony; that your Lordship might have the most satisfactory intelligence upon the subject; and I humbly trust that it may prove so.

I have, &c.
(signed) *John Murray.*

BOARD OF EVIDENCE.

359. Demerara. Received Jan. 26, 1824.

Sir, 24th November 1823.

I HAVE now the honour to hand you herewith the following documents, in obedience to the commands of His Excellency the Lieutenant-governor, conveyed in your letter of 17th October, copies of various examinations taken by the Committee of Evidence, arranged according to the order of their dates.

Copies of several examinations, some dated and others not, taken separately and at different times before His Excellency the Lieutenant-governor, Lieutenant-colonel Goodman, and the Judge Advocate and his assistants, all of which are contained in one hundred and eight sheets of foolscap paper, and tied in a bundle together: also seven schedules, marked A, B, C, D, E, F, and G, containing a summary of facts which the committee has come to the knowledge of, partly by means of the examinations above mentioned, but principally through that part of the evidence given before the general court-martial, which has been put into the possession of the committee. The contents of these schedules are respectively as follows:—

Letter (A.)—Exhibits an account of those estates of which the negroes are proved to have been engaged in the revolt; with a statement of their population, and a reference to the evidence on which the account is founded.

Letter (B.)—Exhibits an account of the number of persons who have been confined in the stocks, and otherwise ill used and threatened by the insurgent negroes; with reference also to the evidence.

Letter (C.)—Exhibits several proofs of the anxiety manifested by the rebels to seize the burgher officers, Captains M'Turk and Spencer, whom they accused of withholding papers sent out for their benefit by the King.

Letter (D.)—Exhibits instances of attempts to set fire to buildings; and shows, that threats to burn were frequently used by the negroes to enforce compliance with their demand.

Letter (E.)—Exhibits an account of those cases in which fire-arms were used by the rebels, and with what effect; referring also to the evidence on which the statement is founded.

Letter (F.)—Contains miscellaneous information respecting the efforts used by the insurgents, on the east coast, to communicate the knowledge of their intentions to the negroes in the other parts of the colony, with a view of obtaining their co-operation and assistance. And

Letter (G.)—Exhibits evidence of flags having been carried by the insurgents when in arms, and of a signal by fire having been agreed on by them to make known to those at a distance the actual commencement of the revolt.

By reference to the papers above described, it will be seen that much information has been collected upon those subjects which the committee was appointed to inquire into and report on; nevertheless, it is the opinion of the committee, that it would be premature at present to enter upon a final report, because it may be expected that further particulars may yet be learned from the proceedings of the general court-martial; and it is probable that the evidence delivered in the course of such proceedings will in general have a tendency, either to confirm or contradict the statements now before the committee.

The Committee trusts, however, that the facts now detailed and submitted for His Excellency's information, will be found interesting, for the purpose for which they are intended.

I have the honour to be, Sir,
Your most obedient humble servant.
William Leach, Secretary.

To Capt. Murray, Gov. Secʸ,
&c. &c. &c.

SCHEDULE (A.)

EXHIBITING the number of Estates whose Negroes were engaged in the Rebellion.

NAME of ESTATE.	Number of Negroes.	EVIDENCE.	BY WHOM EXAMINED.
Foulis	148	Whitlock	Court martial - - trial of Murphy.
Good Hope	445	John Laurey	Court martial - - trial of Harry.
Golden Grove	259	Thomas Freeman	Court martial - - trial of Nelson.
— — —	- -	Gainsford	Court martial - - trial of Sandy.
Plaisance	184	Wm. Mercer	Court martial - - trial of Damis.
Enterprize Bachelors Adventure	661	John Pollard & Hugh Rogers	Court martial - - trial of Natty.
— — —	- -	Adonis	Court martial - - trial of Scipio.
Beter Hope	196	Wm Mercer	Court martial - - trial of Lewis.
Coldingen	183	Coppy and Ned	Court martial - - trial of Alick and Sam Wm.
Lusignan	443	Coppy	Court martial - - trial of Alick and Sam Wm.
—	- -	John	Court martial - - trial of Cudjo, Sammy and Alex.
Triumph	176	Edward Hughes	Court martial - - trial of Edward and Fingal.
La Bonne Intention	301	Cale	Court martial - - trial of Edward and Fingal.
Porters Hope	322	J. Carcon	Court martial - - trial of Cudjo.
Success	332	Wm. Smith	Court martial - - trial of Frank and Windsor.
Beter Verwaghting	137	Isaac	Court martial - - trial of Cobus and Quintus.
Nonpareil	228	Mr. Austin	Court martial - - trial of Sandy.
Enmore	268	William	Court martial - - trial of Mercury.
Paradise	270	Stephen	Court martial - - trial of Gilbert.
New Orange Nassau	181	Cuffy	Court martial - - trial of Nelson.
Friendship	138	Schmidt	Court martial - - trial of Nelson.
—	- -	Schmidt	Court martial - - trial of Smith.
Nooten Zuyl	133	Billy	Court martial - - trial of Quamine.
Chateau Margo	224	George Manson	Court martial - - trial of Tom and Quabinna.
Clonbrook	362	Simon Rogers	Court martial - - trial of Field.
Haslinton	206	Charles Grant	Court martial - - trial of Quamine
North Brook	279	Charles Grant and Brutus	Court martial - - trial of Quamine.
Cove John	272	Quamine	Court martial - - trial of Austin.
Mon Repos Endraght	496	James Keane	Court martial - - trial of Jack of Success.
Bellefield	61	Charles Grant	Court martial - - trial of Jack of Success
Bailey's Hope	290	Gordon	Court martial - - trial of Joseph.
Le Resouvenir	387	Peter	Board of evidence, 7th October.
— — —	- -	Merchison	Board of evidence, 16th September.
Elizabeth Hall	199	Peter	Board of evidence, 3d September.
Nabaclis	287	Tom Gibson	Board of evidence, 16th September.
Vrieds Lust	249	Bob	Board of evidence.
Montrose	302	Bob	Board of evidence.
Vigilance	216	J. G. Abbott	Board of evidence.
Turkeyan	180	J. M'Kenzie	Board of evidence.

Although the foregoing list comprises all the estates on the east coast, of which the negroes are proved to have been in actual rebellion, it must be observed, that the precaution taken by the rebels to avoid detection, by sending the people from one estate to seize the whites, and take away the arms of another, renders it impossible to identify all those who were engaged in the revolt; and accordingly it will be seen, that almost every witness who was present at any scene of outrage in the disturbed district, says, that the negroes concerned, and known to him or her, were accompanied by crowds of strangers; this circumstance, and the number in which the insurgents appeared in various places from Monday night, till Wednesday following, leave little doubt that some, at least, of the negroes of all estates from Plantation Grove, at Mahaica, to Plantation Thomas, adjoining the town, including a population of nearly thirteen thousand slaves, took part in assisting in the rebellion.

Schedule (B.)

EXHIBITING the number of White Persons put in the Stocks during the Revolt; and of what Description; and other Evidence of Ill Treatment.

NAMES, of Persons put into the Stocks.	DESCRIPTION of such Persons.	By whom put in.	EVIDENCE.	BY WHOM EXAMINED.	EVIDENCE OF ILL TREATMENT.
Hubert Whitelock	Attorney & manager	Unknown	H. Whitelock	Court martial - - trial of Murphy	Court martial - - trial of Daniel Foulis.
Thomas Freeman	Overseer	Nelson	T. Freeman	Court martial - - trial of Nelson	Court martial - - trial of Nelson.
Wm. Mercer	Overseer	Unknown	W. Mercer	Court martial - - trial of Damis	Court martial - - trial of Lewis.
John Pollard	Manager	Natty	J. Pollard	Court martial - - trial of Natty.	
Hugh Rogers	Proprietor	Joseph	H. Rogers	Court martial - - trial of Natty.	
Thomas Blake	Manager	Unknown	T. Blake	Court martial - - trial of Lewis	Court martial - - trial of Atilla; evidence, Welcome.
D. M'Arthur	Attorney & manager	Unknown	D. M'Arthur	Court martial - - trial of Philip	
Wm. Brown	Overseer	Unknown	W. Brown	Court martial - - trial of Evan	Court martial - - trial of Evan of Good Hope.
Edward Hughes	Overseer	Edward	E. Hughes	Court martial - - trial of Edward	Court martial - - trial of Edward and Fingal.
James Carcon	Overseer	Unknown	J. Carcon	Court martial - - trial of Cudjo	Court martial - - trial of Jamie, the murderer of a soldier.
John Williams	Overseer	Cudjo and others	J. Williams	Court martial - - trial of Cudjo	Court martial - - trial of Louis and Cudjo of Porter's Hope.
G. F. Pickersgill	Overseer	Unknown	G. F. Pickersgill	Court martial - - trial of Cudjo	
Sam. Shepherd	Manager	Cudjo and others	James Carcon	Court martial - - trial of Cudjo	Sam. Shepherd's own evidence, 13th October 1823, before the Board of Evidence
M. J. Gilmore	Manager	Sandy	M. J. Gilmore	Court martial - - trial of Telemachus.	
M. Marchison	Overseer	Unknown	Marchison	Court martial - - trial of Frank and Windsor	Marchison's own evidence, 17th September 1823, before the Board of Evidence
Wm. Smith	Overseer	Unknown	Smith	Court martial - - trial of Frank and Windsor	Court martial - - trial of Frank and Windsor.
M. M'Innis	Overseer	Unknown	M'Innis	Court martial - - trial of Sandy	Court martial - - trial of Sandy of Nonpareil.
A. G. Gainsfort	Manager	Unknown	Gainsfort	Court martial - - trial of Sandy.	
Dr. Goldie	Doctor	Unknown	Gainsfort	Court martial - - trial of Sandy.	
—— Rafarty	Overseer	Unknown	Gainsfort	Court martial - - trial of Sandy.	
—— Arnott	Overseer	Unknown	Gainsfort	Court martial - - trial of Sandy.	
J. Stewart	Manager	Unknown	J. Stewart	Court martial - - trial of Ralph	Court marshal - - trial of Ralph.
N. G. Tholen	Manager	Unknown	N. G. Tholen	Court martial - - trial of April and Lindor.	
D. Reid	Overseer	Unknown	D. Reid	Court martial - - trial of April and Lindor	Court martial - - trial of Pickle, Profit, and Philip.
J. Stalshmidth	Overseer	Unknown	J. Stalshmidth	Court martial - - trial of April and Lindor.	
C. J. Schmidt	Manager	Unknown	Chance and Paul	Court martial - - trial of Nelson and Paul	Court martial - - trial of Smith, of Friendship and Paul.
A. Gurney	Overseer	Unknown	A. Gurney	Court martial - - trial of Profit and Philip.	
C. Grant	Proprietor	Unknown	Rodney	Court martial - - trial of Quamine	Court marshal - - trial of Quamine, of Haslinton; evidence, Brutus.
R. Thompson	Overseer	Quabinna	Geo. Manson	Court martial - - trial of Tom and Quabinna	Board of Evidence - - Quaco's evidence, 22d September 1823.

Schedule (B.) *continued.*

George Manson	Manager	Unknown	Geo Manson	Court martial - - trial of Tom and Quabinna	Court martial - - trial of Primo, Quaco, and Kate, and Tom and Quabinna.
A. Walrond	Proprietor	Unknown	Jemmy	Court martial - - trial of Austin	Evidence of Mrs. Walrond, without date.
B. Hopkinson	Proprietor	Bass	B. Hopkinson	Court martial - - trial of Austin	
A. M'Lean	Proprietor	Smith	A. M'Lean	Court martial - - trial of Smith	Court martial - - trial of Smith.
—— Bowerbank	Overseer	Kinsale and Prince	Bowerbank	Court martial - - trial of Kinsale	Court martial - - trial of Kinsale.
John Munro	Overseer	Kinsale and Prince	Bowerbank	Court martial - - trial of Kinsale.	
—— Ayres	Overseer	Kinsale and Prince	Bowerbank	Court martial - - trial of Kinsale	Court martial - - trial of Kinsale.
D. Martin	Medical practitioner	Kinsale	D. Martin	Court martial - - trial of Kinsale.	
John Grant	Attorney & manager	Kinsale	Bowerbank	Court martial - - trial of Kinsale	Board of Evidence, 23d September 1823; evidence of John Grant.
John Christian	Overseer	Cudjo	J Christian	Court martial - - trial of Cudjo, Sammy, and Alex.	
Robert Murray	Manager	Cudjo	R. Murray	Court martial - - trial of Cudjo.	
John Gumms	Manager	Unknown	J. Gumms	Court martial - - trial of George Morrison.	
J. P. Slingarde	Overseer	Sam. Austin & others	J P. Slingarde	Board of evidence, 1st September 1823	
A. Shanks	Manager	Unknown	J. P. Slingarde	Board of evidence, 1st September 1823.	
J. Stewart	- - -	Unknown	J. P. Slingarde	Board of evidence, 1st September 1823.	Court martial - - trial of Jessamine and Breton.
—— M'Bean	- - -	Unknown	J. P. Slingarde	Board of evidence, 1st September 1823.	
Ogilvie Airth	Overseer	Buckary	O. Airth	Board of evidence, 1st September 1823.	
T. D. Gosling	Overseer	Unknown	O. Airth	Board of evidence, 1st September 1823	Evidence of Ogilvie Airth, without date.
—— Todd	Overseer	Unknown	T. Mitchell	Board of evidence, 23d September 1823.	
Thomas Mitchell	Overseer	Cudjo	T. Mitchell	Board of evidence, 23d September 1823.	
M'Lean	Overseer	Unknown	T. Mitchell	Board of evidence, 23d September 1823.	
J. Irvin	Overseer	Unknown	T. Mitchell	Board of evidence, 23d September 1823.	
W. R. Whitelock	Overseer	Unknown	W. R. Whitelock.		
Two overseers at Ann's Grove.	Overseers	Unknown	Simon Rogers	Court martial - - trial of Field.	
D. Fairburn	Medical practitioner	Unknown	Paris	Court martial - - defence of Paris.	
Blackstock	Overseer	Unknown	J. Pollard's certificate	Board of evidence.	
Blackstock	Temporary resident at Paradise.	Unknown	J. Pollard's certificate	Board of evidence.	
Fordyce	Manager	Unknown	J. Pollard's certificate	Board of evidence.	
Crawfurd	Overseer	Unknown	J. Pollard's certificate	Board of evidence.	
Laird	Temporary resident at Paradise.	Unknown	J. Pollard's certificate	Board of evidence.	
J. G. Abbott	Manager	By order of Charles	J. G. Abbott	Board of evidence	
Wm. Collar	Overseer	By order of Charles	J. G. Abbott	Board of evidence.	
John Hyett	Overseer	By order of Charles	J. G. Abbott	Board of evidence.	

Schedule (B.)—*continued.*

Further Evidence of Ill-Treatment.

Bob, the driver of the Brothers, states, that Sammy, belonging to Montrose, was very particular in searching for the manager of the Brothers, and is sure would have killed him if he had met him.

Mr. *Gun*, overseer of Le Resouvenir, states, that his musket was wrested from him by force.

James Irvin states, in his evidence upon the trial of Tom and Quabinna, that the latter went up to his master, Mr. Lachlan Cuming, with a cutlass raised in the attitude of striking him, when Mr. William Cuming laid hold of him, and prevented his doing so.

The negro *William*, on the trial of Harry, of Good Hope, says, that he, Harry, attempted to stab the manager of that estate, John Laurey, with a lance, but that it missed and went through William's jacket. *John Laurey*, in his evidence on the same trial, confirms the above.

Bob, the negro driver on Plantation Brothers, says, that Toby, belonging to Le Resouvenir, took away the gun from Mr. McFarlane, and struck him at the same time.

The white inhabitants on the estates adjacent to town, to the distance of three or four miles, ~~were protected from violence by the rapid advance~~ of the troops; and many of those who resided further up the coast, either escaped when the alarm was given, or were accidentally absent from home.

SCHEDULE (C.)

Exhibiting the anxiety of the Rebels to take Dr. McTurk and Mr. Spencer, the Burgher Officers, or Magistrates, of the disturbed District during the Revolt.

Schedule (C.)

THE negro *Sondag*, of Le Resouvenir, ordered the people of that estate, immediately after they had taken the arms and ammunition, to proceed to Plantation Felicity, for the purpose of seizing Dr. McTurk.—See Evidence of Mr. Gun, 2d October 1823.

James Lowrey, coloured boy, states, that the night after the rising, the negroes said that they were going to McTurk's; and adds, that Jack told them to do so.—See Evidence of James Lowrey, 3d September 1823.

Dose, of Le Resouvenir, states in his evidence of 27th September 1823, that Sondag said to the people of that estate when they had taken arms, "We will now go and hold Dr. McTurk."

The negro *William*, in his evidence on the trial of Mercury, said, that the prisoner threatened to tie him if he did not tell where his master was; and threatened to cut his throat; and said, that he wanted from Mr. Spencer the paper that the King had sent containing their freedom. Mr. Spencer, burgher captain, was the witness's master.

The negro *John* states, in his evidence on the same trial, that the prisoner was looking for his master, Mr. Spencer, in the dwelling-house on Plantation Annandale, and remained there the most part of the night.

Cuffy, on the trial of the negro Nelson, states, that he saw a boy Cuffy beat by Alick, to tell where his master Mr. Spencer was.

The witness *Adams* states, that he saw Damon at Annandale on Monday night the 18th August, and was asked by him for his master. Damon has since been shot.

The negro *Bristol*, of Chateau Margo, in his statement 9th October 1823, says, that he saw Quamina on Thursday (21st August), about eleven o'clock in the forenoon, with a number of people, who said if they would go down to Dr. McTurk's and shoot him, every thing would be easy.

The negro *Ned*, on the trial of Alick and Sam William of Coldingen, said, he was guarding the counting-house door of Mr. Spencer, when he saw Alick, who said, here is one of Mr. Spencer's servants who must know where he is: then they began to beat him, the witness, and some of them said he ought to be shot if he did not tell where Mr. Spencer was.—The negro *Coppy*, in his evidence on the same trial, says, that he saw Alick catch hold of the little boy Cuffy, and insist on his telling him where his master Mr. Spencer was.

Paris says in his defence, that Jack told him, whoever knew Dr. McTurk was to shoot him, and put him out of the way, and then they would get their freedom.

Mr. *Spencer* says, in his examination before the court-martial, "I could hear them (the rebels) distinctly talking about me, and seemed much disappointed that they had not been fortunate enough to secure me. I heard several say, they were very sorry they could not get hold of that burgher captain, meaning me: his head they wanted particularly.

SCHEDULE (D.)

Exhibiting the Attempts of the Rebels to set Fire during the Revolt.

Schedule (D.)

VICTOR, witness examined on the trial of Atilla, says, that the Plaisance negroes said they would go and attack some of the estates near town, and would return the next night and burn the buildings of the Plantation Better Hope.

Cato, witness on the trial of Edward and Fingal, states, that he saw a fire at La Bonne Intention.—*Edward Hughes*, examined on the trial of Edward and Fingal, states, that a great number of negroes came to the Triumph estate on Monday evening 18th of August, and threatened to set fire to the buildings there if the arms were not given up.

John Lowrey, on the trial of the prisoner Evan, states, that on the evening of the 18th August the negroes who surrounded the dwelling-house at Good Hope, threw into the windows a number of lighted fire-sticks, eight or ten; some were thrown into the gallery, some against the glass windows in the gallery, and one or two into the chambers aback of the house. The same witness, on the trial of Harry, states, that while the gang were throwing fire-sticks into the house, they threatened to burn it down if the arms were not given up immediately; he desired the domestics to throw out the fire-sticks as they threw them in, when the negro Harry called out to the rest to break open the store door and set fire to the puncheon of rum. This was the conduct of the negroes of the Good Hope on their own estate; and the witness John Lowrey the manager of it.

James Spencer, overseer at Triumph, witness on the trial of Zoutman, states that a party threw fire-sticks into the house of that estate.

Petit, on the trial of Mercury, declares that he saw the negroes throwing lighted fire-sticks at the house of Annandale, but was too far off to know who threw them, nor did he find any of them in the house afterwards.

N. G. Tholen, manager of La Bonne Intention, witness on the trial of April and Lindor, says, that on Monday the 18th of August he was in the back gallery in the house of that estate, when he saw a negro come with a lighted fire-stick out of the negro-house, and went to a large piece of trash behind the megas-house and set fire to it; then the people that were under the house went to the megas-house, and brought each a large bundle of trash, and put it under the house, when he heard the prisoner, Lindor, give orders to put fire to it; he, the witness, desired them to stop, when Lindor cried out, put fire to it.

The negro *Isaac*, in his evidence on the trial of Cobus and Quintus, says, that he saw the negroes throwing fire-sticks at the house of the Triumph. The negro *Cable*, on the trial of Jack, says he saw fire sticks thrown at and into the house of Triumph, of which estate he is a driver. *Isaac*, (*C. B.*) a witness on the trial of Jack of Success, says, that he heard Jack say, Jacky Reed was to have the people ready by Monday night to set the cane pieces on fire. *Allan Gainsfort*, on the trial of Quamine, states, that the reason of his quitting his house was, that the negroes set fire to the bottom of it, and filled it with smoke; he did not see the fire put, but the smoke compelled him to quit the house. *Brutus*, a witness on the same trial, says, that the prisoner had made a fire under the house at Golden Grove, to raise a smoke, which made Mr. Gainsfort and others quit the house. *Gordon*, a witness on the trial of Joseph of Nabaclis, and Colin of Bailey's Hope, says, that Colin said, unless the Dochfour gang joined them, they would set fire to the buildings on that estate, and Joseph said the same words. *Virginius*, of Bee-hive, witness on the trial of Duke, of Clonbrook, says, that Duke came to the Bee-hive, and said, that if the people did not come out of the negro houses, he would set fire to them, and a man named Waste prevented him. *Robert Murray*, witness on the trial of Sammy, Cudjo, and Alexander of Lusignan, states, that he saw the negroes on the evening the revolt began, throwing lighted fire-sticks into the manager's house of that estate.

The negro *Damon*, of Bachelors' Adventure, says, in his declaration to the Commissioners, on the 3d September 1823, that on Wednesday morning, the 20th August, after the troops had proceeded a short way up the coast, he saw Telemachus take a fire-stick, and set fire to the Logie on Enterprise estate, and he, the witness, assisted by Castello, extinguished it. The negro *Damon*, of Elizabeth Hall, in his declaration to the Commissioners, 3d September 1823, says, that on Wednesday, after the firing had ceased, Telemachus came to Elizabeth Hall, and collected some dry grass, which he set fire to, and placed in the dwelling-house; he, the witness, made the people of the estate put it out, he says that the fire had begun to burn the buildings before they got it extinguished.

James Lowrey, in his declaration to the Commissioners, on 3d September 1823, says, the negroes at Success wanted to set the buildings there on fire, but some said it would be bad for themselves, and they did not do it.

SCHEDULE (E.)

Exhibiting the number of Cases in which Fire Arms were actually used during the Revolt, and with what effect.

PLACE and TIME where Negroes were seen armed.	PERSONS CARRYING ARMS	WHETHER USED, AND WITH WHAT EFFECT	HOW PROVED.
Triumph - - 18th August 1823	Number of forty or fifty negroes unknown, armed with cutlasses.	Not used	Edward Hughes - - trial of Edward & Fingal
Triumph	Quintus	Fired at the manager in the dwelling-house	Isaac - - - - - - - trial of Cobus and Quintus.
Success	A negro unknown	Fired at Captain Simpson, and missed	Stewart - - - - - - trial of Ralph.
Paradise	Number of negroes armed unknown	Not used, the whites having given up their arms without resistance.	Whitelock - - - - trial of Gilbert.
Triumph	D° - - - D°	Fired at white people in dwelling-house without effect	James Spencer - - trial of Zoutman.
Montrose	D° - - - D°	Fired at Mackay, the manager, and his overseers, without effect.	A. Mackay - - - - trial of Hamilton.
Chateau Margo	A party of armed negroes breaking bridges	Fired upon the overseers several times	James Irvin - - - - trial of Tom and Quabinna.
Mon Repos	A large party attacked the dwelling-house	Continued firing from twenty to twenty-five minutes, but were finally repulsed.	James Kean - - - - trial of Jack.
Mon Repos	A party of negroes	Attacked the dwelling-house and fired, but without success	Thomas Land - - - trial of Achilles.
Success	A negro, supposed to be Quaco	Fired at Captain Simpson, and missed	Captain Simpson - trial of Quaco.
—	Dick or Jessamine, of Success	Fired a shot at the governor without effect	Stated by Jack in his declaration to the commissioners.
Nabaclis - - 19th August 1823	Murphy	Used as a guard	Mrs. Walrond - - - trial of Murphy.
Foulis	Murphy	Used as a guard	H. Whitelock - - - trial of Murphy.
Golden Grove	A number with fire-arms and cutlasses	Fired at the white people, severely wounded Mr. Gainsfort and Mr. Arnot who lost his arm, Mr. Rafarty wounded, and Dr. Goldie cut in the hand with a cutlass.	A. Gainsfort - - - - trial of Sandy.
Ann's Grove	A large party of nine or ten hundred, and a smaller from one hundred to one hundred and fifty.	Fired at Lieutenant Brady several times, and a detachment of the 21st; wounded very severely the manager of the Grove, Mr. Sortie. "When the negroes got near to us to speak to us, they ordered Mr. Brady to lay down his arms; Lieutenant Brady said he could not, but they must lay their arms down, they said they would not, they would never lay their arms down. A good number then fired at us; we were in readiness to fire, but they certainly fired first."	Simon Rogers James Walsh } - - - trial of Field.
Nabaclis	A party attacked the dwelling-house	Fired, and wounded the overseer, Mr. Tucker.	Jamie - - - - - - - trial of Austen.
Nabaclis	D° - - - - D°	Fired at the house, wounded Mrs. Walrond twice, killed Mr. Tucker, and mortally wounded Mr. Forbes.	Mrs. Walrond's evidence - - without date.
Northbrook	Negro George, alias George Morrison, and others	Fired about fifteen shots at the dwelling-house, without any other effect then compelling the whites to surrender their arms.	John Gummis Jim } - - - trial of George Morrison.
Bachelors Adventure 20th Aug. 1823	Jamie	Shot a soldier of the 21st	Tom - - - - - - - - trial of Jamie.
Bachelors Adventure	Joseph	Fired at the soldier, but missed him	Stephen - - - - - - - trial of Jamie.
Bachelors Adventure	Seven or eight hundred negroes, and great numbers advancing.	Fired on the troops and militia	Captain Croal - - - trial of Jack.
Good Hope Lusignan Bachelors Adventure } 19th Aug 1823	Two thousand rebels and upwards	Some of their scouts fired upon the troops, the main body brandished their weapons in defiance, and called the troops to come on; murdered the bugler, and fired the building on Bachelors Adventure.	Statement of Lieut.-colonel Leahy to the Committee of Evidence, 19th November 1823.

SCHEDULE (F.)

A STATEMENT of Persons implicated in the Revolt, not being Inhabitants of the disturbed District on the East Coast of Demerara.

Schedule (F.)

Defence of *Paris*:—Some weeks before the revolt, Bob Murray told him in town that he wished to see Jack, as Jack had appointed him to take the fort.

The day before he saw the governor's boy Sam, who wished him to carry a letter up the coast for Jack; he refused, as it was too far to go from Good Hope, and the letter was sent by Bob Murray.

Colin, of Plaisance, (residing at La Retraite,) 8th Sept. 1823, says, Atilla told him of the revolt two or three weeks before it broke out.

Paris, 12th Sept. 1823, says, that Jack told him he had sent messages to Capoey, Wakenaam and Le Guan, to tell the people, who were to come with one thousand bush negroes, to join. Jack also told him he had got the head and second drivers of Herstelling, to carry the message to the people in the river, and that they would all rise in that quarter. He mentioned also, Rome, Belle Vue, Vreed en Hoop, Rotterdam, and Annandale and Columbia in Essequibo.

Paris, in his declaration to Captain Edmonston, 28th August 1823, mentions all the estates above, also Providence, Ruimveldt, La Penitence, the Best, the Good Success (Wakenaam,) Hampton Court, Mainstay, Tarsis and Caledonia, in Essequibo.

Tully's examination, 8th September 1823, confesses that Jack told him, about three weeks before the revolt, that the negroes intended to take their freedom by force, and asked him to go about among his friends and get them to join.

Jack, of Success, in his examination, 15th September 1823, says, that Hay asked leave to go and see his son, but in reality went to Gilles to know if they were ready to join. Gilles lives on the west coast.

Bristol, in presence of Goodluck, 18th September 1823, says, that when he advised Jack, in Goodluck's presence, to stop this business, he, Goodluck, exclaimed, "What am I to do with all the people that I have spoken to in Essequibo?"

Dumfries, 24th September 1823, was sent to Rome, to tell the negroes there, that those on the east coast were going to make war with the white men. Quashy, of Rome, said he knew where the Bush negroes were, and would send for them to help.

Stewart, of Success, (same date,) confirms the above; and also *Lawrence* and *Morris*, of Rome, examined the same day.

Goodluck, in his examination, 29th September 1823, states, that on Monday morning, the 18th of August, about nine o'clock, he called on Tully in town, who asked him if the negroes had begun to take up the bridges yet: same day he met Manuel, of Pleasing Hope, Le Guan, and told him what was going on up the coast. About two weeks before that, he spoke to Mandingo George, and Congo George, of the Endeavour estate, Le Guan, and told them what the negroes on the coast were going to do. He had also some conversation with Jack and Toney, of the Kitty, on the same subject. He also told John Langevin, belonging to John Cleland of town, what the negroes on the coast were going to do; and he likewise mentioned the same thing to Alfred, belonging to Miss Johanna Hopkinson, of town.

Paris, one of the head leaders, in his confession, dated 28th August 1823, says, "the whole colony was to have risen last Monday; and I cannot account for the reasons why only the east coast rose at the time appointed."

Mandingo George, and *Congo George*, of Le Guan, and *Manuel* of the same, acknowledge, in their examinations of the 18th and 24th November, the conversations held with them by Goodluck, as above stated.

SCHEDULE (G.)

Exhibiting Evidence of Flags being carried, and other Signals.

Schedule (G.)

Simon Rogers states, in his evidence on the trial of Field, that the negroes who attacked Lieutenant Brady's party at Ann's Grove, on Tuesday 19th August, had a flag; it was not a regular flag, but an old dark cloth fixed on a stick.

Brandon, belonging to Bailey's Hope, says, that Damon, of Orange Nassau, carried a blue flag.

Telemachus, in one of his examinations, says, that the signal to be given for a general rising, was a fire aback of La Penitence.

EXAMINATIONS.

EXAMINATION and DECLARATION of Mrs. *M. Walrand*, viz.:

Lancaster, Rodney,
Caliles, Prince,
Sandy, Murphy.
Joseph,

Enclosure in N° 7, Examinations, &c.

ON this day, the 1st of September 1823, personally appeared Mrs. Mary Walrand, wife of Francis Alexander Walrand, part owner of Nabaclis on the east coast of the united colony of Demerara and Essequibo, who states, that at half past four o'clock in the morning of the 19th August 1823, she heard the firing of guns, and persons breaking into the house; the Jalousies breaking open. Mr. Walrand then ran down stairs to defend the house, and I ran to one of the chamber windows, threw it open, and begged them to desist. I asked what was the matter; they said, "Look at the lady at the window;" some said, "Fire at her;" they did fire, and struck me in the arm. I retreated then a little from the window, and returned to it again, where I again beseeched them to be quiet; when, holding up my hands in an attitude of supplication, they again fired, and wounded me in the hand. I then ran from the window to the stairs; as I got on the stairs, I met my servant boy Billy, (a servant of Mr. Walrand's, who came from Barbadoes,) he asked me where I was going? I said, below; and he said, Oh! my dear mistress, don't go; and spoke with great terror, they have killed Mr. Facker, wounded Mr. Forlice severely, and my master, I believe, is killed; I saw him dragged on the ground. He then pulled me into my own room, an upper room, and locked the door as soon as I got in, and we had scarcely been in the room before they rushed up stairs; he then opened a window, and jumped on the gallery, where they attempted to fire at him, he called our cook, called Lancaster, and said, "Are you going to fire at me? I know you." A boy presented at me standing in the window, when Billy said, "Are you going to shoot my mistress?" I then perceived a very tall man close under the window below, on the ground; he told me, putting his hand on his mouth, Hush! they would not kill me. I begged him then to come up stairs, and protect me; he burst the door, a number rushed in, filled the room instantly; the tall man (believed to be Calib, as he confessed it to Mr. Walrand and Mr. R. Reed) entered first, with a pistol presented at me; they all presented at me. I asked them why they would kill me? what harm I had done them? They said, they did not intend to kill me, but I must show them all the powder and shot where it was, and where my husband was. I said that he had gone down stairs on hearing the noise, and I had never seen him since that time. They said, other gentlemen were in the house, where are they? I said I did not know. They then proceeded to examine all the trunks in the room, and boxes, and to take every thing valuable. About this time I began to inquire for Mr. Walrand, what they had done with him. A man then advanced from the crowd, and asked me if I knew him, I said No, I really did not; he said, "I know you, you are a very good lady; I know that you go to your sick house, give the people physic, and attend to them, and that Mr. Walrand is an excellent master; my name is Sandy, of Non Pareil, head carpenter." Well then, said I, Sandy, tell me what they have done with Mr. Walrand; he said, "he is not hurt ma'am, he is only in the stocks;" then I said I must go there too: the tall man then said, "Oh, no! you must be guarded in the house." Whilst I was begging to go, a man named Joseph, of Nabaclis, driver, came up to me, and then I clung to him and insisted to go to Mr. Walrand; he likewise entreated for me, and spake of my character as a good mistress to them, and upbraided them with their cruelty in having fired at me. While Joseph was speaking, the tall man went to the window, called from the window to the negroes, who were committing great excesses, breaking open the logie, and drinking the wine, Make haste away to the Post, you are losing time. After he gave that order, he gave no reply to my entreaties, but ran down stairs to accompany them. All this time I held Joseph by the arm, whilst they were retreating down the side line, they having only left a guard; Rodney, of Bachelors Adventure, was the one. I still persuaded him to take me to Mr. Walrand; he said, it was more than his head was worth without leave from the guard; he then went away and brought in one of the guards; I said I would run to him at all events; the guard Rodney came into the house and accompanied me down stairs, then gave me leave to go, and in my way down stairs I saw Mr. Tucker's body; they had rifled his person of his watch, and every thing on him except his clothes; and after recovering from the shock of the first sight of it, I thought it might make some impression on their minds to speak to them of the crime, and see whether religion had any government of their motions. Rodney said, they had not murdered him; he had cut his own throat; Joseph was still with me, said, don't say so, and stooped, untied his cravats, opened his shirt collar, to show him his throat was not cut; and said, "don't you see that throat is not cut; he is shot in the body." I said, you will say then that I shot myself; here is blood on my hands, and all over me; here is my gown all over with it. (They had previously told me their freedom had come out, and they had great friends at home.) I told them I would send my gown home, and let them see what savages they were to fire on a defenceless lady, who attended them in sickness. I begged Joseph and all our negroes to testify if those who had been poorly had not drunk the chocolate out of my own cup. Joseph said it was all true,

Enclosure in
N° 7,
Examinations, &c.

Mrs. M. Walrand.

true, and not one of our negroes would injure me, he was sure. Rodney said, there was no occasion to talk any more, and took me by the arm over to the sick-house, and into the room where Mr. Forbes, who was badly wounded, lying on the hard floor, and Mr. Walrand was there —neither was in the stocks at that time. After speaking to Mr. Walrand, I went to Mr. Forbes; he was a Scotchman, overseer of the estate; and he said, What a scene is this for you, madam? his blood had covered the floor in great quantities. I asked him to have his wounds dressed; he replied to me, No, he would rather die; "they have taken all my clothes, and all the little money that I had been toiling for, and this is now no country for a poor man to get his living in." He asked me if there was no hope of relief. "If this act passes unpunished, what have we to expect? I lie here murdered by the hands of those wretches. Our prince gave me a blow in my head,"—where there was a cut across his neck, which Mr. Walrand saw. He said, "I wish Wilberforce was here in this room, just to look on me; for we may thank him and them for all that has happened, that the same might be dealt to him by some hand!"—He said, how he envied Mr. Tucker his immediate death; and seemed in the most excruciating agony, but perfectly in his senses. I entreated the guard, in the name of every principle of humanity, just to let me send to Golden Grove, the next estate, to Dr. Goldie. I tried to get them to look at the dying, bleeding man, hoping the sight of his misery would move their compassion. Each of the guards, at different times, Murphy, Rodney and others, refused. The man died at half-past twelve that night. In the course of the forenoon of Tuesday, Murphy (the man since executed) came into the gallery of the sick-house, and was examining the house. I asked what was the meaning of all they had done, and what they wanted. He said, their freedom the King had sent it out, and their owners would not give it. I asked, "Who told you so?" he said, Parson Smith preached it every Sunday. I gave him my word most solemnly that I knew nothing of it, at least that our negroes had received no such freedom. They seemed to think I was deceiving them. He said, Parson Smith was put in the stocks also. They said, "The negroes no want to put him in, but Parson Smith said, they must put him in, if they put other whites in, for copy of countenance."

Thus done and declared under tender of oath, if required, by the said Mrs. Mary Walrand, the day and year above written.

Deposition of *Ogilvie Airth.*

Ogilvie Airth, overseer of Non Pareil, states, that on the night of the 18th, about twenty minutes after seven o'clock, whilst he was removing the arms from his own room in the ginning-house to the manager's dwelling-house, accompanied by the negro Sam, the boy Buckary belonging to the heirs of John Hopkinson, or Plantation Enterprise, was seen by him going from the Non Pareil negro-houses: and being asked by him what he was doing there, said he had been to see his friends; and was the second negro that entered the Non Pareil house, and seized him, the overseer, by the arm, and assisted in putting him in the stocks, using very insulting language; he called him a damned white bugger, and accused him of keeping back the freedom of the negroes. Dick Austin, of Enterprise, as aforesaid, brought a blunderbuss into the sick-house, and presented it to the breast of Thomas Dickson Goslin, brother-in-law to Captain Wilson of the Governor Harcourt: he said, "God damn you, I will shoot you;" but another negro, unknown to him, Airth, desired Austin to wait a little; and then both retired, and the deponent saw nothing further of them. Tom, of Golden Grove, released him about twelve o'clock, together with Mr. Goslin; he said it was at the risk of his life he did so; and deponent and Goslin then made their escape through the plantain walks to town.

Deposition of *Lieut. Col. Reed.*

Lieut. Col. Reed, A. D. C. deposes, on Thursday or Friday of the first week's sitting of the court-martial, he was sent by General Murray to the prisoner, to ask for the letter which had been sent to him by Jacky Reed, enclosing one from Jack Gladstone to Jacky Reed. The prisoner acknowledged that these letters had been brought to him on Monday afternoon the 18th August, by a negro called Guilford, belonging to Dochfour, but said, that he had destroyed after reading them; he also acknowledged that he had returned an answer to Jacky Reed by Guilford. I told him that his answer had been put in my hands on Monday night, and that I had then a copy of it about me: he begged me to favour him with a sight of it; I did so. Prisoner read it attentively, and returned it, saying, that he believed it was a verbatim copy of what he had written and sent by Guilford. I told the prisoner that I feared he had been inculcating very improper doctrines to the negroes, as it appeared that the principal members of his chapel had been leaders in the insurrection. Prisoner replied, "When I have been preaching I have sometimes endeavoured to illustrate what I was saying by a general reference to the situation of the manager or overseer on an estate; and on concluding I have asked some of the most intelligent of my hearers to explain my discourse, and they have said that I had been abusing the manager or overseer," or words to that effect. Prisoner observed, that this was not the first insurrection that had broken out in the colony. I said, that this was one of a peculiar nature: he remarked, that much blood had been shed at different periods on account of religion. I told the prisoner, that several of the unfortunate criminals had declared that he was the cause of their guilt; and I also read to him an extract from Sandy's deposition, in which it is stated that Mr. Smith the prisoner had said, that if they did not seek their freedom, the whites would trample on them and their sons and daughters, and their sons' sons and their daughters' daughters,

Enclosure in N° 7, Examinations, &c.

Lieut. Col. Reed.

to all eternity, &c. &c. Prisoner acknowledged that he knew Sandy, and had conversed with him, and listened to complaints from him, but denied having made use of these words. Prisoner also declared his innocence, and expressed himself satisfied with the steps that had been taken to prevent any communication with him.

Copy of Parson Smith's Letter to Jacky Reed.

To Jacky Reed,

I AM ignorant of the affair you allude to, and your note is too late for me to make any inquiry. I learnt yesterday, that some scheme was in agitation, but without asking questions on the subject; I begged them to be quiet, and I trust they will. Hasty, violent or concerted measures, are quite contrary to the religion we profess, and I hope you will have nothing to do with them.

Your's, for Christ's sake,
signed) *J. S.*

Examination of *Telemachus.*

The parson read in church the proclamation respecting the negroes going to church; but after service he told us, Bristol, Quamina, Paris, that that was not half of what the King had sent out for our good. Mr. Hamilton told, before a number of people, that he would not free the girl he kept, because the whole colony would soon be free; I was not there, but Sandy, Jack and Joseph were there. Sandy told me, that Jacky Reed sent Pascal on Monday with a letter to the parson, asking him, if the information Jack and Quamina had sent him was true, and if he knew any thing about it; the parson wrote back to say, they had better mind themselves and stand softly. I always understood, as well as the rest of the negroes, that although the parson preached in a way not directly telling them to take their freedom, yet that they always understood he meant they should do so, and he counted Quamina and Bristol more than white men. Mr. Hamilton and Parson Smith lived on the same plantation, Le Resouveuir. I declare, that although I never gave the parson any fowls or pigs myself, yet to my knowledge others have; but on Christmas particularly I saw it myself. All the christians gave two bits per month to the parson, and the latter sold them bibles at seven guilders, ten guilders, twelve guilders; prayer books at four guilders, and catechisms at five stivers; and if the two bits per month were not paid by any individual, his name was struck off the list of christians. Success Middlepath was the rendezvous; and the whole was commenced and conducted from thence. Forrest had a keg of powder before the Monday night.

For upwards of a year the parson has preached in the same manner.

Richard, belonging to Success, knows the Bush people, and their camp. Upwards of twelve months ago I heard parson Smith say in the chapel, and in his own house, before myself, Quamina, Bristol, and many others, that we were fools for obeying the managers, and that the slaves should not obey them, as the King did not wish it, and that he did understand the meaning of the word slaves, and he often repeated it. About the time the Governor's orders respecting our going to church were sent up the east coast, the parson Smith told us, that there was something good come out for the slaves, and that he hoped soon to see all slavery abolished. Quamina, Bristol, Paris, Manuel, Azor, Seaton (Success), and many others, Sandy, Sunday the 17th we met at four o'clock, at Success Middle Walk, where we formed all our plans. Jack told me then, that when we rose we were to make haste to take down all the bridges; and Quamina told us we were not to hurt the whites, but to put them in the stocks, and take their arms. Suppose we had succeeded in taking the whole of the east coast, the Bush negroes were to come out, and we were to advance to town; the Governor's servant was to be the head man in town; at Ruimveld the head driver was to be leader. I do not know the head men on the west coast, or in Essequibo; Jack arranged all that through his friends in town, and through the boats crews from Essequibo. The fort was first to be taken, and the ships; I believe the people in town were not ready the same night that we rose; they had laid their plans, but were not ready. The Governor's servant told Jack that he knew a man who had the means of blowing up the magazine, and that we must leave the town to him; twelve o'clock at night was to be the hour in town; Quamina was to be king, Jack governor, Mr. Hamilton was to have been a great man, Paris was to be an officer; the white ladies were to be allowed to leave the colony, but the white men put to work in the field, and any one giving an insolent answer was to be killed; Paris was in Jack's confidence. I heard Mr. Hamilton say, when he was to be discharged from Le Resouvenir, that he would not buy the black girl by whom he had a child, as the negroes were all to be free very soon. I was not at church on Sunday before the revolt, but Quamina sent and consulted with the parson, whether Jack should make peace with Colonel Leahy; the parson's answer was, not to give up, but to go on; parson Smith was to be head over us all when free. Providence (Buxton) told me that one of the overseers informed him five weeks ago, the slaves were to have their freedom. Jack told me of all the arrangements in town; he used to come down of a Sunday; the little mulatto boy told me yesterday afternoon that he knows who wrote the letters from Quamina to Mr. Simpson's negro. Richard (Success) was to bring out the Bush negroes; Sandy went round all the estates on Monday, to inform us of the rising that night; I saw him come to Joseph myself.

Deposition

Enclosure in N° 7, Examinations, &c.

Deposition of *Thomas Hood*, Manager of Plantation Dochfour; stating what the Negro Jacky, belonging to Dochfour, informed him upon the 18th of last month; 8th Sept. 1823.

Jacky came to me at four o'clock in the afternoon, and told me that Sandy from Non-pareil, and Paris from the Good Hope, had then been in his house, informing him that all the negroes to leeward, as far as Plantation Kitty, were to be in arms "to night at seven o'clock." I asked Jacky, have they told you what they were going to do in arms? Jacky said yes, they have told me they are going to put all the whites in the stocks. I asked, "have they told you nothing else?" Jacky said, no; I then asked Jacky if he was to join in work of that kind? he said no, he would take God as his witness he would do nothing of the kind. I asked Jacky, "have you told Sandy and Paris that you would not join them?" he said yes, he had, I again asked Jacky what their answer was when he told them so? Jacky told me that Sandy held up both his hands, and exclaimed he was a dead man, and then went out of Jacky's house; I then asked Jacky if I could rely upon what he said to me to be truth? he said, yes, I might, and I had better let Mr. M'Keand and enough more know of it. I asked Jacky, what he meant to do should it take place? he said to me, his master was in town, but whatever orders I would give, he would do them and stand by me, and all of the negroes upon the plantation would do the same, he said. Mr. Paterson was present when Jacky told me what I have stated.

Certificate of *J. P. Slingarde*; 1st September 1823.

I do hereby declare, that I am an overseer on Nooten Zuyl, and on Tuesday morning the 19th of August, I was put into the stocks by Sam Austin and several negroes, and while there the negro Billy presented a paper to me; Mr. Shanks, Mr. J. Stewart, Mr. M'Been, Mr. Grant, desired us all to sign it, which we did; he desired the door to be locked fast while we were in the stocks. We heard much firing; he then left us and went away. A little while afterwards, a man by the name of Sandy, belonging to Non-Pareil, presented another paper to us, telling us, that if we would sign we should be released. We signed, and we were released.

(signed,) *J. P. Slingarde.*

Azor's Letter to Parson Wray.

Dear Sir, August 1823.

I hope you are well, with all your family in a good state of health; I beg leave if you could come up, I am very much need of seeing you, so long time; I did not custom myself to this minister Smith as I does to you, therefore I beg you to come, as it is in the first begun you instruct me in the way of God; I don't able to find out another minister as you, you have told me so yourself always, and I see it is true, they who worship God must worship him in spirit and in truth; and your members, Quamina, Jack, Jasson and Romeo, presents their compliments to you, ask how you do, and always told me to write you any time; I send you a castor oil bottle too you is my instructor, so as my father and mother; and I beg you to come up because I want to see you very much; if you don't make time the bottle porter will burst.

I have the honour to be respectfully, dear sir,

To Rev. J. Wray, Berbice. *Azor Van Cooten.*

The foregoing is a true copy of what I have wrote for the negro Azor, which I ready to give my testimony to the best of my knowledge.

5th Oct. 1823. (signed) *A. Valz.*

This letter was writing a little time after the hucksteres died on Vryheid Lust.

Edward's Messages.

1st Message.—My mother told me I must go and tell Jack, if he could wait until Mr. Hamilton's vendue, as they had turned him from the estate, and Jack said he could not wait, because the message had gone quite up to Mahaica Creek, and they must begin on Monday night; they cannot stop it.

2d Message.—My mother sent me to Jack to tell him that Mr. Hamilton would give over the arms easy if the negroes came to take them by force; Jack said he believed Mr. Hamilton would give them over.

3d Message.—My mother said I must go tell Jack, that if they go to the white people they must not do them anything; that they must say, "master, we are weary working now, and it's time we get a day or two." Jack said, if they don't take away the arms, when they are sitting down in their houses, the white people will come with their arms and destroy them, therefore they must take away their arms.

One day Jack and myself were talking, and he asked me, "Edward, do you think if we don't do this business we will get our freedom?" I said to him, "No, the white people cannot give you freedom, but I believe if you go and speak to them they will give you a day or two; I believe, Jack, if it's the Governor alone, they would, give you a day or two long time ago, but it is some of those high planters that have estates that don't want to give it;" Jack said, "yes Edward, I believe so."

Enclosure in N° 7, Examinations, &c.

Sandy's deposition to the Governor.

You are head of the colony; I come to you on life and death; if I speak truth I *may* die *here*; if false, I shall die hereafter. I heard all from Paris; I breakfasted with him on Sunday 17th, and we went together to chapel; we found a very full number, and sat down till Mr. Smith came in; he read 3d chapter Revelations; after church I called to Paris, and asked what the people meant by walking and talking together two by two. Paris carried me to Jack, and Jack told me the King had sent us freedom, and we must try to get it; and that Mr. Hamilton told him so. I refused to believe all this, and felt afraid. Jack had told Joseph to tell me all this before, but he did not. I was told the Governor instead of sending round the King's letter about our freedom, had sent round another, telling the managers, &c. to squeeze the negroes still harder. Jack ordered us all to stand together fronting each other, as many as might be from the same estate to stand next to each other, and to take counsel, or hold a council about taking hold of the white people; I said this was a bad plan, that Jacky of Dochfour had told me, that it had been the Barbadoes plan, and had failed; that my plan was, I gave as my plan, "Every man upon his own estate, let us put down our tools; when driver sees nobody going to work and tells the manager, then we should all ask manager to let us go to town and ask for one day besides Sunday to rest;" then when I said that to the people, they all turned their backs and rejected the plan, Paris said, "if we get on to lay down our tools; what will become of us, will they not shoot both men and women like fools." Every one agreed with Paris; I said, even if they shot us in this way, it would be better than to be shot for doing wrong; they then dispersed, determined to keep their own plan. Quamina desired me to tell the people to try his plan if I pleased. Paris said the whites would not hurt them, if they were only put in the stocks. I asked all the estates people if they had ever heard that the King had sent out orders for them to have time for rest; they said, no. I went to Bachelor's Adventure on Sunday night, found Telemaque, and Joseph and others; Paris came in and told them, if they "followed Sandy's plan they were dead men." Monday morning I saw Jacky at the Hope estate, who had a letter from Jack of Success; I followed Paris to Dochfour, and Jacky read this letter to us; "I Jack wrote this letter to you to remember the word we determined to discourse about at Le Resouvenir between me and you and some other brethren;" this letter was written before I knew any thing about it. Jacky said, he knew about it all long ago, but declared he would have nothing to say to it. Jacky wrote a note to Mr. Smith, enclosing Jack's letter, and inquired of Mr. Smith whether such things were proper; the messenger's name, Guilford. I do not know Mr. Smith's answer; Jacky wrote about four o'clock Monday afternoon. Mr. Smith told me three weeks before this began, (I and Quaw from Northbrook, Alick coloured, from Dochfour, went to buy a testament and books;) Mr. Smith said to me, Well, Sandy, there is a good thing for you all now; if you don't seek for it now you will lose it; then they (meaning the whites,) will trample upon you, and upon your sons and daughters, and your sons' sons, and your daughters' daughters to all eternity, and there shall be no rest to you hereafter, and you shall be trampled upon to the end of the world." Neither I nor Quaw are Christians; I thought the parson meant we should rise. Jack said the Bucks and Bush negroes were to come out to join them to take the country; he said the Bucks said, when they had been helping the whites they could get nothing, so they would help the negroes. The slaves in town were to join free people and black troops; he did not mention any names in town. Jack said, the Governor said he would keep up the war for two weeks, and then depart with all the whites. When he heard the King's troops fire, he then believed they had been deluded. Jack is the head of all; he was not at church on that Sunday; he came to town, but returned about two o'clock. Jack said, Mr. Hamilton told him that if they laid down their arms they would all be shot.

Sandy positively declares, that if he dies in consequence of the part he has taken, he will lay his death to parson Smith's account.

Declaration of *Mars.*

Mars, head carpenter and teacher on Vryheid's Lust, who cannot read or write, but explains catechism to the people of the estate, is in the habit of attending church. I have been christened, some years ago, by Mr. Wray. I remember Friday evening before the rising, a letter came from Success by *Jac* and *Hags Theip,* who brought it Joe Simpson, and Joe told the men the people had better not do what was intended, they had better go to their masters and inquire about it, before they took any steps; I saw the letter, but could not read it; Paris read the same letter on Sunday at the chapel, to all the negroes at Post's estate; Jack of Success had the letter. I was put into the stocks early the first night by the burgher captain; I did not join in the business, and advised the negroes not to rise, but to go to their masters and ask the truth. Joe Simpson can testify that I did so, and that Mr. Van Cooten, my master, can give me a good character.

Mars requested this declaration to be taken for him; and suggested that some of the Post's negroes, Michael and Azore, heard Mr. Hamilton say they were free; he remembers no more.

Confession of *Bristol,* of Chateau Margo.

Bristol makes the following disclosure, and throws himself upon mercy:—Says, this business has been going on nearly a year. About a year ago, Jack and two or three others said sometimes, every body should fight with the whites, and if they could do no better they would go to the Bush; after they found that a few stand of arms which they had were taken from them, they agreed to put it off for some time: it all began at Success and Le Resouvenir. On Sundays they always let each other know how they got on about it. About two or three months ago, they heard that the papers came out, some said they were to be free, some that they were to have two or three days; after that Jack came to town to learn. Some said they must kill the whites, others were for taking the guns and powder from them. Sunday before last, Jack said it was time to get ready. Some Mahaica people came down. Jack said all the town people and the other side are ready, declared they would kill the blacks who would not join them. Jack said, Taddy (Hyndman) in town had told him they were all ready in town; he said as soon as they began up the coast they would know in town, and they would begin too: they then sent a man to Rome, and they said they were ready; Dumfries of Success went to Rome. Jack said he had come to Government-house, and Daniel told him there was some paper come out, but he could not tell what it was. As Daniel told him this, he was determined to stand to it; Jack did not mention Sam. Taddy said he would get all the people in town, and by the time they got from the coast they would do what they could in town. The Bush people were to come out and help the town people.

Bristol went to parson Smith, Sunday before last, and told him the people were all dissatisfied. Parson Smith cautioned them to wait three weeks or a month longer, and not commit any violence; if he saw that the people kept on, he must tell the authorities. He, Bristol, asked him to speak to the people. Success people know all about the river people. Goodluck (belongs to Peter M^cClare, freeman,) saw all the people on the west coast and river; said they were all ready; said he would raise all down to Essequibo. He, Bristol, took no oath to any person; Mars and Azore know all about the people down here; Success and Le Resouvenir people said they would attack soldiers or any one who came there; Jack said Mr. Hamilton told him they were free; that there was no necessity for purchasing Susanna, as she would soon be free. He remembers one Sunday Mr. Smith said the children must all learn to read by the help of God; the children would some day, by the help of God, be free; he said the negroes were fools for not going to the Governor; if he did not give them their rights, they could go into the Bush and live, there being no use in going to the Fiscal. Parson Smith never said any thing about their freedom; he said that the King could not give them freedom, as they did not belong to him. Mr. Hamilton sent for Jack on Sunday 17th, and told him as above. They were not to put owners in the stocks, only managers and overseers. The first bargain was to drive the whites into the shipping, and make them go away; about a month ago it was given up for a long time: Jack was displeased with him, Bristol, for telling Mr. Smith. He, Bristol, took the sacrament on the afternoon of Sunday 17th; no white people took it. After the sacrament they threw a bit or two bits a-piece, to buy wine for the next time; Seaton of Success received the money. Cato knew all about what was going on; knows Colin of Meertens; he believes he was to lead over the river; Jack used to go to him. By what he understood, the strongest in battle were to have been appointed king, governor, fiscal, &c. Thinks they must be past Frank's Camp. He went a day and a half, and then returned; he thinks Jack has ten or twelve men, and six women with him.

Examination of *Bristol.*

I went with Quamina to Parson Smith two Sundays before the revolt; saw him in his house after the second service in the forenoon. We went to tell him, and Quamina was the spokesman, and told the parson, that the people were all talking about a paper which had come out. Mr. Smith said, something had come out in the paper very good for him: said, that the people must wait two or three weeks time, and their masters or the governor would read it out to them. My intention (and so was Quamina's) was, to ask him as our teacher, and we thought, if there was any thing wrong, he would tell us so. We had made up our minds to ask him that before we went. Nothing more passed on that Sunday. On the following Sunday, 17th, after the forenoon service, we went to him again. Quamina told him in my presence, that the people were yet grumbling; "they think there is a paper about freedom come out." Mr. Smith, "It is no freedom, but something very good come out for you; you had better tell the people to wait." Quamina replied, "the people are going on in such a way, I don't think they will wait." Parson Smith asked, what they would do; and Quamina said, they would take it by force. Parson Smith, "Take it by force! they had better mind, for there is a great deal of soldiers in town, and they will not be able to stand out against them. Well, if they go to do that way, you Christians must have nothing to do with it." We told him that there were so many Christians concerned in it, we did not think they would stop. He again cautioned us, that the soldiers would be too strong for us. We said, our plan was to drive the white people to town. He said, "take care; they won't go." He neither told us to do it, nor even told us that we were wrong. There was a meeting in Success Middle Walk, but it broke up before I got there, as they saw Dr. Fairbairn coming that way. We all thought there was such a thing as the paper come out. Our plan was to drive the white people, but we thought they would come and join the soldiers, and come back and turn against us, and we all agreed to put them in the stocks. I heard they were to begin at the Thomas. We were to be very particular not to harm them, but to get the arms to guard ourselves, and the next morning to let them out, we should by that time have arms; and if the troops came, we should then have been able to go against them; we were then to fight.

Enclosure in N° 7, Examinations, &c.

Examination of *Bristol*.

Bristol acknowledges himself a deacon; says Taddy, belonging to Mr. Hyndman, was to rise in town. Daniel, the Governor's servant, told Jack there was a paper come out, and that his master was in the house. Barre carried the messages from town to Jack, and delivered them at Cato's house, where the others met; I always stopped at the Success Middle Walk. Parson Smith never desired us to rise and take our freedom; he did not administer the sacrament the Sunday evening before the rising. Goodluck, belonging to Peter M'Clure, free black man, a carpenter, was to get the negroes from town to Essequibo; he came up on Sunday, 17th, to Success. After the town was taken, all the white people were to be driven away in the ships. On Sunday, 17th, I went to Parson Smith, and told him I understood our free paper had been sent out; he answered that no freedom had been sent out, but that something good had come out, and we had better wait. I told him the people were grumbling. I understood from Jack that Mr. Hamilton sent for him, and told him that (on the week before we rose) now was the time; Jack said he did not wish to trust Mr. Hamilton.

Examination of *Bob*, driver of the Brothers.

I was on the estate on Monday the 18th instant, at about five o'clock; had orders to go with the men gang and pound coffee; on coming home for that purpose, I was told by Mercy, washerwoman, that the negroes were going to rise. I called to the gang, and warned them to be quiet, and stand there and pound coffee; they all staid. About that time the manager came and brought Cato, of Success, and told me to put him in the stocks; I did so. Ned, of Le Resouvenir, came up, and we tried to catch him, but he got away; then more than two hundred men, armed with guns, cutlasses, lances, &c. came into the estate; I endeavoured to stop them. Atilla, of Plaisance, bawled out to me if I was the manager; they took hold of me by main strength to the managers house; the manager was absent on duty at Dr. M'Turk's. Mr. Jein Bartrum, a sick white man, and Mr. M'Farlane were there; they seized the white people, and beat me very much, and threw me on the ground, and kept me there; Atilla called to kill me; Sylla was another, Sultan of Van Cooten, Reel of Van Cooten, all assisted and beat me; Sammy, belonging to Montrose, was very particular, looking for the manager, and I am sure he would have killed him if he had met him; Prime, of Souvenir, broke the negro-house, and endeavoured to force the negroes to join them. Toby, of Souvenir, struck Mr. M'Farlane; Jem, of Souvenir, was on horseback giving orders for fight; Davies, of Souvenir, gave orders to cut off my hand; Cupido of Souvenir, and Jem of Van Cooten, and Richard of Van Cooten, they took me from them, and carried me to my house, and shoved me in. I went through the house and got into the Cotton; Richard, of Success, was there with a flag.

Seaton's Deposition.

Seaton says, he was present the morning when Susanna sent to call Jack, and Jack came; and he asked Susanna "if she hear any thing concerning the paper what come." Susanna said, Yes, Mr. Hamilton speaks very much about it. Jack then asked her what Mr. Hamilton said about the paper. Susanna said, "there's something very good for negroes, but he won't tell me fully because he got company." Jack said, "Susanna, go to Mr. Hamilton again, and see all about it, and come and tell me again." Susanna said "Well, Jack, I can't get um now; if you wish me to ask him properly you must wait till night, till we two go lay down, and then I will get it properly." Susanna said, "Mr. Hamilton says, let two or three of you come to him, and he will tell you every thing:" this was Sunday morning, 17th August. Seaton says, after forenoon service on Sunday he was at church. "Quamina ask Mr. Smith, that he hear paper come. Mr. Smith said, Yes, he is come; it is very good for you all. Drivers are to be broke, and you are all to work quietly, and if any body is to be punished, their master self for punish you must wait; you will soon get the paper." He saw Mr. Hamilton in church that Sunday. About Goodluck, Jack said to Goodluck, "Go and see how much people you can get on the other shore for this war business;" Jack said, a young man, mulatto, named Joe, belonging to Simpson. Jack sent letter to him, to ask him if he heard any thing concerning the paper come out; and he answered Yes, by the person who brought the letter, and that he would search his master's papers to know more, and then send him word, but he never sent it. He knew about this war about a week before.

Deposition of *John Alves*, coachman to Lieutenant-colonel Goodman.

I was, on the night of Monday the 18th of August, ordered to drive my master's carriage with a detachment of the 21st Fusileers up the east coast, the bridge of Success was torn down, and impassable for a carriage. The Reverend Mr. Austin recommended me to go to Mr. Smith's and stop till morning, which I did; not being acquainted with the place, I called for the boys, and Mr. Smith looked out of his chamber window—(this was between two and three in the morning of Tuesday;)—he came down and directed me over to the manager's stable, stating that he had but room for his own horse. I put up my horses in the manager's stable, and walked back to Mr. Smith's house; Bailey, Mr. Richard Chapman's servant, and Cornelius, the President's servant, were with me. Mr. Smith asked us to walk in and take some refreshment, which we did. The conversation turned on the

subject

Enclosure in N° 7, Examinations, &c.

subject of the revolt amongst the negroes that night. I said it was a terrible thing the negroes rising in this manner. Mr. Smith said it was a thing that had been expected these six weeks. I asked him what time they, the negroes, began; he told me about seven and that some rang their bell, others blew their shell; that was their alarm. Mr. Smith said he had been round and seen the negroes, and that they were well armed for it, that they had plenty of guns and swords, and that in the evening about fifty able men well armed went round the manager's house and demanded his arms, saying they would not trouble him if he, the manager, would give up his arms, they got six muskets out of the manager's house; two overseers had come over to him for protection. I asked Mr. Smith what the negroes wanted, and he said it was their Saturday and Sunday, and that there was no whip allowed to go in the field, for that the whips were to be hung up in the manager's house, and if they did any thing the manager was to look into it; that women were not to be flogged, and that he had papers in his house to that effect; and that the manager on this estate, instead of laying down the whip, had given the driver a cat and nine tails besides, and said he would use them while he was able.

Deposition of *Sandy*, of Non-Pareil.

Sunday, when this began, before Monday, was the first; I heard of the matter at chapel; I met Paris, and seeing a number of people, asked him what they were about; he said, calling Jack and introducing me, who said the matter had been a fortnight talked of, then called Joseph (Bachelor's Adventure,) well, you have heard that the King allows that the slaves must have satisfaction now; Paris said, he did not know much, must ask Jack; Jack said he would prove it; Mr. H * got a letter; I said, produce the letter, otherwise it would be deadly work. Mr. Smith himself, three weeks before that, told me myself and a boy, Quaw, of Northbrook, who went to buy a bible, and Alick of Dochfour, that we were going to lose a good thing, if we did not seek for it now; they would press, (meaning oppress) or trample on our sons, and our sons' sons, and as long as the world remains we would then receive no rest. As I only heard it last Sunday, it is not likely I can be a head man; Jack at Success is the head man; Han and Jacky at Dochfour knew of it before others; they were discoursing together, Jacky told me, a week before it; and Jack's father (Success) Paris of Good Hope, will tell the same; Jack was the instigator; Quamine, of Nabaclis, said, we must contrive it better than the Barbadoes business; then I asked him what they did in Barbadoes, as you had never heard the rights of that business; then he told me, the negroes, on rising in Barbadoes, commenced killing people, and then suffered for it. I recommended, that the only way would be to simply lay down our tools, and refuse to work. Paris said, then the whites won't believe we mean to rise, and will begin to shoot us, so we must put them in the stocks, as advised by Jack. I said, that won't do, and ran to Good Hope, called Paris, Billy, and Charles of Lusignan, and told them so, for if we put hand on a white man, the English law would put us to death. Then I went to Bachelor's Adventure, and told the same to Telemachus and Joseph; then to Nabaclis again, and told the same, not to lay hold of any whites, but to leave our tools. Jack told me, that he had asked Mr. Hamilton for the letter spoken of, but Mr. H. said, no, we must get on first with the business, and then he would give it us. Jacky told me he had a letter from Jack to go by in the business, but he would not go by it, as it was a false word, not true. Jack said, that the people in town would join us, and even the Bucks would.

* Hamilton.

Deposition of *John Bailey*, 24th August 1823.

John Bailey, groom, living in the employ of Richard Chapman, esq. ordnance storekeeper, deposeth and saith, that he was directed by his said master, on the evening of Monday, the 18th August last, to drive the carriage of Mr. Goppy up the coast; the said carriage, with several others, being about to leave town with a detachment of troops under the command of Lieutenant Peddie of 21st regiment of Fusileers; that he accordingly drove said carriage to the military barracks (Eve Leary), where he took in one officer and five men of said detachment, the other soldiers being placed in three other carriages, they all left the barracks about a quarter before twelve o'clock, and went up the east coast; that they proceeded until they arrived at a large bridge crossing a canal between Plantation Le Resouvenir and Success; that in consequence, however, of said bridge having been partially destroyed, so as to prevent carriages or horsemen passing over, the troops left the carriages and immediately proceeded in the best manner they could to pass over the bridge, and went up the coast; that Reverend Mr. Austin, attended by a coloured person (both on horseback) who accompanied the party up the coast, advised the witness and other drivers of the carriages to go up the middle walk of the estate they were upon, where they would in all probability find stable room and food for their horses at Mr. Smith's; that they all proceeded up the avenue to the buildings, which were quite silent, as if deserted; that after some time they came to a neat looking cottage, and saw a person looking through the window, whom the witness afterwards knew, or was told, was Parson Smith; the witness inquired where the stable was, and said person replied that he had none, but that he had better go and look for a place; that after some search, he, the witness, and the other drivers, found a place where they put up their horses, and afterwards returned to their carriages left opposite the cottage door, when the same person, Parson Smith, asked witness and the other three coachmen to come into his house, which they did; that after taking some refreshment, witness remarked to the person who had given them the invitation to come in, that this is a very serious business, he, the said person, said, what business? when witness replied, the revolt

Enclosures in N° 7, Examinations, &c.

of the negroes; that the person answered him by saying, that he was not at all surprised at it; that he knew of it six weeks ago. He further observed, that he had gone out that evening about half-past six o'clock to stretch his legs a little, and observed the negroes come home from their work and go out armed with muskets, cutlasses, and things like pikes. That the said person further observed, that he did not wonder at the negroes turning out, as they were treated too bad; they worked day and night, and all Sunday, and moreover, that the manager of this estate had given the driver a cat-o'-nine-tails, besides the whip, and that he, the manager, was determined to give them enough of it as long as he could; that he appeared to blame the court for not having put in force the orders which had come out from home to take away the whips, as, he said, all the negroes knew such orders had come out two months ago.

That all that he has stated was heard and witnessed by John Acres, coachman and groom of Lieutenant-colonel Goodman, and the other two drivers, black and coloured men, one of whom is coachman to his honour the President, and the other drove Mrs. Hewling's carriage up the coast: that witness did not know Mr. Smith previously, or that he was a parson, but was told so by some little negroes whom he saw about the buildings. The person alluded to in the foregoing deposition was Mr. Smith the parson; he Mr. Smith having himself, in course of conversation, and when witness remarked he wondered he was not afraid to remain behind, said, that the negroes had not or would not trouble people like him

That witness is ready and willing to confirm the foregoing deposition on oath whenever required.

Examination of the negro man *Mingo*, belonging to Nabaclis; 23 August 1823.

Mingo states, that the manager and Mr. Reed allowed the people belonging to Plantation Nabaclis to attend church: that the following are the principal men or preachers:

Jack.
Sandy.
Telemachus.
Quamina.
Joseph (of Batchelor's Adventure.)
Manuel } Chateau Margo.
Bristol. }
Seaton (Success.)
Jason (Van Cooten.)

Mingo states, that he was at church the Sunday before last, and afterward heard "something good was come for them." That after coming from church they were told by the head members or readers, that on Tuesday morning they were not to go to work, but to ask their masters, "what that something good that had come out was;" but that the Corabana people did not wait, but broke out on Monday evening; Jack and Telemachus told them, "they were to seek what that good was that had come out to them." They liked Parson Smith before this time; they took up religion lately; that time they had thrown once two bits per head to be given to the parson. All the head men remain behind with the parson after service is over, but cannot say how long or late they stay with him. Jack told the people that their freedom was come out, and read a letter to them about it.

Thus done and examined, in presence of their honors the president and first fiscal.

Paris's Confession; 28th August, 1823.

Paris confesses he is guilty of the crimes laid to his charge, and throws himself on the mercy of the court, offering a full disclosure of the whole conspiracy, and of the principals concerned in it.

It is now twelve months since this business began to be first agitated, and the first word I ever heard was from Mr. Smith, the parson, at Le Resouvenir estate, at chapel. One Sunday about that time, after the service was over, there were several of us remained for the evening class meeting; say Quamina, Bristol, Jack, Manuel, Azor (Van Cooten), Joseph (Hopkinson), Telemaque and Prince (Hopkinson), Mars (Van Cooten), and some others whose names I do not recollect at present, when Parson Smith said to us, "The negroes in this country are fools, for the King had allowed them their freedom, and that the whites in this country had paid (bribed) the Governor not to give it to them; and so if the people did not seek for it themselves, they would not receive it any more." These were his words, as near as I can recollect them at present. When we left the chapel, Quamina, Jack, Bristol, Manuel, Azor and Mars and I talked over the parson's information, and said it was a very hard thing to have our freedom kept from us; and we agreed to meet often, and talk over the business as to how we were to get our freedom. Nothing more passed at that time. After this time we had private meetings occasionally at our houses. Jack and Quamina engaged to raise the Success people; Bristol and Manuel, the Chateau Margo; Davy, the Bonne Intention; Cudjo, the Goede Verwaghting; Toney and Louis, the Mon Repos and Endraght; William, the Triumph; myself, the Good Hope; Wyore, the Lusignan; Annandale, no head man; New O. Nassau, Providence; Friendship, Luke and Jarvis; Vigilance, Jack, carpenter, who was to be also the leader as far as Mr. Panyea's; Bachelors Adventure, Joseph and Telemachus; Paradise, Hanover; Success, Jack settled every thing from the Success to town; Barre the butcher carried letters from Jack to Sam, the Governor's servant in town, and to the head driver at Herstelling, who was to be the leader of the east side of the river; at Rome, the head driver; at Providence, the head driver and Mr. Blake's cook; at Ruimveld, the head and the second drivers; at La Penitence, the head driver and the manager's cook; but the head driver at Herstelling was to be the head of the whole; on Filleen's estate, the attorney's butler; on Best, the second driver, who was also to be the leader

Enclosures in N° 7, Examinations, &c.

leader on the west side, and to send over the whole of the negroes from that side to take the town, which was our grand object; Colin, at Mr. Meerten's; head driver at Belle Vue: west coast, Rotterdam first and second drivers, head men of the west coast Wakenam; Good Success, first driver: Essequibo, Annandale, first driver, who was to have passed over to Belle Plaine, with one thousand Bush negroes, and from thence to have found his way to town. Columbia, first driver and butler; Hampton Court, first driver and d°; Main Stay, first driver and head butler; Tarsus, first driver and head butler; Caledonia, first and second, drivers; Sophienberg, first driver; Hobabo Julius, Mr. Edmonstone's head driver.

The whole colony was to have risen last Monday, and I cannot account for the reasons why only the east coast rose at the time appointed. As soon as we were in possession of the town all the white men were to have been murdered, and the white females taken for our own wives, but not before, as that would only have irritated the whites the more: if we had not succeeded, as has been the case, the ships in the river were to have been burnt. All the doctors that we were fond of we were to have saved, the rest were to be murdered. Doctors Waddell, Robson and Mr. Chambers to be saved in town. Quamina insisted on being the king, Jack the governor; Parson Smith was to have been our emperor, and to have ruled every thing; Mr. Hamilton to be general of our forces, and it was he who told me and Jack and others to bear a hand on Sunday morning, and pull up the bridges, the first thing we did, to prevent the great guns from advancing; and Parson Smith told us to make haste and begin it, or if not the whites would know. Mr. Hamilton had made choice of a lady in town. The parsons were to have been saved.—Sunday 17th, Parson Smith gave us the sacrament, (Mr. Hamilton partook of it also.) He desired us to keep good heart, exhorted us to go on with the business now, or die. Quamina, Jack (Success), Bristol, Manuel, Azor, Mars, Romeo (Resouvenir), Telemachus, Joseph Wyore from Luignan, Providence (N. O. N.) Jack (Vigilance), Luke (Friendship), Louis (Endraght), and plenty more whose names I don't recollect, the Parson Smith and Mr. Hamilton, often, often, in my presence, declared that we were to be free, and that we ought to take our freedom.

Examination of the negro *Jacky*, belonging to Mrs. Reed; 30th August 1823.

Your name is mentioned as having written to, and received letters from, Parson Smith?—No, I received a letter from Jack Gladstone the Sunday before this business began.

Did you send the letter you received from Jack to Parson Smith?—I did, about dinner-time on Monday; I did not approve of the contents.

Whom did you send it by?—Guildford, of Dochfour.

Did you receive any answer by Guildford?—Yes, a note, the same evening between nine and ten o'clock, and gave it to Mr. Reed; I have not read it myself.

Do you remember the words Jack wrote to you?—He said, 'I send you this letter concerning our agreement, and hope you will keep your promise;' and that they were determined to do something to-morrow night, meaning Monday night.

Had you seen Jack shortly before the writing of the letter?—A fortnight.

Will you tell the committee what you think was the cause of the beginning of this business at the time, and the names of the people?—About five Sundays ago I went to chapel, saw Jack, he asked me if I had heard any thing, I said no, Jack said he would tell me, the King had sent to make all the negroes free, I asked him how he came to know that, and he answered he had a brother living with the Governor, called Daniel, and he sent to call him to tell him; I aked him, Jack, if he had read the papers himself, he said no, Daniel had read the papers and told him they were papers of that kind. they went into chapel, and the text was 24th chapter of the Acts latter part of 25th verse The second Sunday after I saw Jack again, he asked me if I had received a letter; I told him no, and asked him what was in it; he told me, never mind what was in it: "I will write another, and if you will come aside I will tell you a little of it," when I went in, he said what he told me the Sunday before, and what he had seen happen since, he saw it was true the slaves were to be made free, I asked him what was it new he had heard; he said, the driver at Mr. Posts was flogging a negro by the manager's order, and while the driver was flogging him, he said to the negro, "because you are to be free, you will not do any work, nor wait till your freedom is given you, but wish to take it yourself," and this in the presence of the manager Mr. Hamilton, Mr. Hamilton wrote to inform Mr. Stuart of the expressions used by the driver, and Mr. Stuart went over to Mr. Cort to inform him of it; Mr. Cort and Mr. Stuart came over to Parson Smith, and begged he would not let the negroes know they were to be free. On the same day after that conversation, I went into church, and the text was, 3d chapter of Revelations, 3d verse. After chapel was over, a man named Bristol, of Chateau Margo, told me and my brother not to go, for he had something to say to us, and he told me the same thing Jack Gladstone told me, and I said to him, don't believe it, because without proper proof it would only bring contempt on religion and the church. There were present at this conversation, Manuel of Chateau Margo, Benny and Harry of Dochfour.

Were there any other persons consulted you previous to the revolt?—No, excepting Paris, on the forenoon of Monday 18th, when Paris and Sandy came to ask me to join, which I refused to do; but I first asked them what they meant to do; Paris said, to put all the whites into the stocks, I asked him what he intended to do with them then; he said, take them out next morning, and I said, "after you take them out how will it be with you?" he answered, he would go and sit down in the Cotton-piece; and then I said, "I would be damned if I join you in any such thing;" when I said so, he stood up, I clapped him on the shoulder

Enclosures in N° 7, Examinations, &c.

shoulder and told him, if he had set his people on to do this evil thing, he had better go home and prevent them; he said, that himself and Jack were so deep in it, it was too late to stop it, and that it would have gone on the Monday before, but he, Paris, stopped it; then Sandy said, I know I shall be a dead man, and I will go immediately and put Mr. Pollard in the stocks and take away the guns; I left him in my own house, and went immediately and told the manager what they had said.

Do you consider these people you have named are the principal people?—Cannot tell.

What do you think, in your opinion, is the cause of all this business?—I am of opinion it is the ignorance of the negroes, led away by Jack Gladstone, who I believe to be the ringleader of the whole.

Do you think any of the words of the texts were calculated to have such an effect on their minds as to induce them to enter into this rebellion, or had any reference whatsoever to this business?—I do not think so.

Examination of *Bob*, driver of Plantation Brothers; 30th August 1823.

Read to him the evidence he gave in the case of Atilla, before the Court. Says the very first knowledge he had of this business was on Monday night the 18th.

What do you think led to all this business?—Says, in his opinion, all this thing began with the principal people who were trusted by their masters, and all of them frequenters of Parson Smith's chapel, and not the working part of the people.

Nothing material in his general statement. He left the estate on Tuesday for fear of being injured.

Examination of *Jacky*; 1st September 1823.

The Sunday night, 17th August, I was sleeping at Plantation Northbrook, where I have a wife, and the driver there told me that Tom Hamilton charged him not to go to work on Monday morning, for the slaves were free. I asked him how it possibly could be; I said I am not free yet. He begged me then not to go to sleep yet, and he would go and bring Tom Hamilton; when he came I asked him, what is this he told the driver? he said he was at chapel that day, and Jack Gladstone told him that they were all free. I asked him, "do you believe that lying Jack?" He said he did not go, but he went by white men. I asked who was the white man: he said Mr. Hamilton, the manager of Le Resouvenir; he said the manager said it was true, the slaves were free, because the manager told the negroes they were all fools, and that Mr. Mewburn was gone home to stop it; and all the planters were subscribing a great deal of money against his return; and if, he said, they did not seek for their freedom in time, they would not get it; and he said Mr. Hamilton said, if Jack and three more principal men would come to him on that Sunday night, he would put them in the way of going on; and he said again Mr. Hamilton said, that a woman he kept on the estate whom he promised to buy, he said he would not now buy, as all were to be free. I asked him if Mr. Hamilton told him this: he said, no, Jack Gladstone told it to him. I told him not to believe it, and told him to go home and do his work; and he promised he would.

Do you know whether Mr. Hamilton was in the habit of receiving the sacrament from Mr. Smith?—I do not believe he is.

Examination of *Phill*, of Clonbrook; 1st September 1823.

Do you know Billy and Dublin?—Yes, they belong to Ann's Grove.

What time did you first hear of this business?—The day it reached us was Tuesday; I heard the noise and ran out, met Farrel, who would not tell me what was the matter, but said let me get my cutlass; I ran and got my cutlass too, and followed the crowd to the gang; when we came there, met a great many people there; they said, "Massa Benjamin Hopkinson must go into the stocks," and they sent him. The crowd went back to Clonbrook, and I followed after the people were gone away from the estate. After the soldiers came they fired on the negroes; saw too many people; they went back.

What did you do then?—Went aback Tuesday night, and Wednesday went back to Clonbrook; I met no body on the estate.

Where was Billy on Tuesday morning?—I saw Billy on Tuesday armed with a sword at Bee Hive; I saw captain Billy and Dublin at the Grove.

Who was head man when both gangs met?—January was head man.

This man confesses he is a teacher; he seems to be very intelligent, but after a tedious examination he persevered in evasive answers.

Examination of *Billy*, of Ann's Grove; 1st September 1823.

Did not you go to the Post's chapel the Sunday before this business?—No, not for a fortnight before. I was baptized by Mr. Smith; cannot read; I know nothing about this business; I was lying down, about three o'clock on Tuesday morning; West, of Clonbrook, came and roused me from sleep, and he told me something strange, that the negroes in Courabana had sent word they had put all the whites in the stocks; when I got up I asked him "what do you mean to do, after they have got all the arms? if you don't go they will injure you;" and when I came out I told him, "I am very much troubled about my family, and if this don't turn out right it may end very bad." When I asked him if only him and I were to go, he said, no; West and January and all the men gang were on

Enclosures in N° 7, Examinations, &c.

the dam, and then Ann's Grove and Clonbrook people met together; not one had any arms; then met the people coming from Nabaclis, where Mr. Benjamin Hopkinson was in the stocks; I remained there until he was released, and all the other people left; I told him the best way to get rid of the people was to give his handwriting, to be in peace.

Where was Austin?—Tuesday morning, sun high, Austin helped to beg not to return Mr. Hopkinson into the stocks. I had a sword in my hand when I was at the John, which I took from my son, who had also a gun; when I found Mr. Shanks in the stocks I showed him the paper Mr. Hopkinson had signed, and asked him also to sign it, and Mr. Grant; I went back to Ann's Grove, met Jack Gladstone with the people; I had the paper in my hand; Tuesday morning I was at Bee Hive Bridge when the firing was heard; I deny ever drilling the negroes on Ann's Grove.

What induced the negroes to do all this?—I believe the understanding was, they got hold of some papers to say they were to have three days.

Who is the head man in this business?—I suppose Jack, and those that understand books.

Joseph of Nabaclis was on the white men's side; Prince put him in the stocks on that account, and for firing at Emanuel.

The prisoner persisting in giving evasive answers, was remanded to gaol.

Examination of *Hanover*, of Paradise; 2d September 1823.

Declares, on Sunday night, the 17th August, I slept in the negro-house on Paradise. On Monday morning Mr M'Arthur, the manager, called for his horse to go aback, and I saddled him. I and the negro Barson were told by Mr. M'Arthur to go and wire some ale which had recently been drawn off, and while we were employed at that work, Barson said to me, that after the negroes left chapel at Le Resouvenir on Sunday, Jack had a newspaper and read it to them; that the newspaper (he explained) stated that the King had sent out freedom to them for this long time, and that the white people did not want to give it to them; that it was now high time to seek for it, and if they did not do it at once, they would not get it again. Barson told me that he heard Jack say so. On Monday night, Austin of the Cove, and many other negroes, came to the estate and asked for the guns, which they took away; afterwards Telemachus, Joseph, Prince, Natty and Kinsale, came to the estate, and put the white people into the stocks. All that night and all Tuesday I was at home. On Tuesday night all the negroes returned from Mahaica, and took the white people out of the stocks; they then went away, and took Mr. Pollard with them. After they had gone, the negro Barrington, belonging to Baillie's Hope, came to the estate, and said he was sent to carry all the servants with him: he had some negroes with him. I went with him, and when I reached Bachelors Adventure road, Joseph, of Bachelors Adventure, gave me a gun, and said I must carry it. The negroes said we were to sleep at Bachelors Adventure that night; the head men went to the buildings to sleep with Telemachus, and myself and other negroes were left on the dam. I took an opportunity, about eight o'clock, to throw down the gun and run back to Paradise. Mr. M'Arthur was gone to bed when I got back to the estate, and I went to the estate, and I went to my house to sleep; I heard firing about three o'clock in the morning. On Wednesday morning I got up and went to the horse stable to clean the horse, and soon after I heard firing again; I then ran out of the stable into the great house; I went up stairs, and when Captain Croal came down to the house to ask Mr. M'Arthur to lend him a horse, he, Mr. M'Arthur, looked up from the stairs, and called me to get the horse for him I declare that the meetings at Paradise took place four times in the week; they began at half-past seven o'clock at night; that Barson was the man who read the Bible and explained to us; Gilbert was the head man, although he does not read so well as Barson; it was not every night we confined ourselves to religious matters; sometimes we talked stories; the meetings took place at Ambrose's house for religion; but when they had any thing particular to do, they went to Gilbert's house and talked on it. On these occasions they would not speak when I was present, as they excluded the negroes who were christened by Parson Austin from their consultations, and I am one of those that he christened. I recollect, about two or three months ago, that some of the negroes, after they returned from chapel on Sunday, said, that in two or three weeks time they would see something good come out for the negroes; they said that Mr. Smith, the parson, told them so, and that he said every body ought to learn to read, as then they would see and know it themselves. After this the negroes generally talked of the business among themselves. Telemachus formerly came to Paradise to teach the negroes, but now Barson and Hercules are the teachers; they used to teach all the people, but since some of the negroes were christened by Mr. Austin, they have not taught them any thing, and only teach their own party, the chapel people, whom they call Mr. Smith's christians.

Deposition of *Sam*, a Slave belonging to Mr. Albony; 2d September 1823.

Declares, I ran away from my master about two months ago; I was about town for some time, and then I went up to Haslinton, where I was on the Sunday preceding the revolt. On Monday evening I went away from Haslinton to the John to beg Mr. Hopkinson to intercede for me. I slept there on Monday night, and on Tuesday morning I saw a party of negroes rush into the house before I could speak to Mr. Hopkinson; they seized Mr. Hopkinson by his arms; Billy had hold of him, and I went in at the same time and begged him not to hold him in tha manner; Billy said if I said a word he would cut my head off. Several negroes had hold of Mr. Rose, and Mr. Freeman also, who were in the house; they

Enclosures in N° 7, Examinations, &c.

put them all in the stocks, and put Sandy of Non-Pareil guard over them. Sandy asked me when I came from town, and I said yesterday evening; he then asked me if there was any rising in town, and I told him there was no such thing; he then said, well, I will let them out of the stocks; he had the key of one set of stocks, and let out Mr. Rose and Mr. Hopkinson, and not having the key of the other stocks where Mr. Freeman was, I broke it open with a piece of cutlass. After Mr. Hopkinson was let out, he went to shave his beard, and when he was about that, Billy of Ann's Grove, and a man named Paul belonging to the Cove, who had a gun, came, and Billy called out, Where is that fellow Hopkinson? I told him he was shaving; he said, tell him he shan't stop to shave; he must come and put his hand to paper for freedom and peace. I went up and told Mr. Hopkinson, and he came down after he had shaved and dressed himself, and said, "Billy, what do you want?" Billy replied, "You must put your hand to paper for freedom and peace, or you must go back to the stocks directly." Mr. Hopkinson wrote a paper and gave him; he said he must write it good, as he (Billy) knew as much as himself. Billy looked at the paper; he took out his spectacles and examined it, and folded it up and took it away. Paul followed him armed with a gun; Austin was there, and begged the negroes not to put his master in the stocks; the negroes called, "You yourselves say your massa's bad, why should we not put him in when we have put in all the other white people?" The time I was at Haslinton I staid about the negro watch-house at the water-side. I was with Mr. Hopkinson when the troops called at the John, and I went up to Mahaica with them and Mr. Hopkinson. At Mahaica he gave me a pass to go back to the John to take charge of the house, and I went accordingly. I was there when I saw captain Stewart coming down on Thursday with a party of soldiers; I went out to meet him on the road, and showed him the pass. I remained at the John until I was taken prisoner and brought to Nabaclis by order of Captain Croal*.

I am positive to the person of Billy; that he was twice at the John; he had a broad brimmed hat, cocked up like a cocked hat, and he had on a sabre with a steel scabbard and gold tassel to it.

Mr. Hopkinson being called to examine this man's evidence, corroborated it as far as he was concerned, except that he could not positively say Billy was the person who seized him, as he does not know his person well, nor does he think that the demand was for "freedom and peace," but for peace alone.

Examination of the Negro *Damon*, of Bachelors Adventure; 3d September 1823

Damon deposes, that on Wednesday morning, 20th August, after the troops had proceeded a short way up the coast, he saw Telemachus take a fire-stick and set fire to the logie on Plantation Enterprise, and then retire up the middle path; that he, Damon, assisted by the negro Castello, extinguished the fire, or else the whole building would have been destroyed.

Examination of the Negro *Peter*, of Elizabeth Hall; 3d September 1823.

Peter deposes, that on Wednesday morning after the firing had ceased, and the troops proceeded up the coast, Telemachus came to Elizabeth Hall and collected some dry grass which he set fire to, and placed in the dwelling-house; and that he, Peter, made the plantation people put it out; that Telemachus had some negroes with him, whom he ordered to break the Koker and let the water rush in from the sea, which was done; that he, Telemachus, then went to Plantation Enterprise, and the negroes dispersed.

This witness stated that the fire had begun to burn the building, and that "little more the place all come cabba, cabba; suppose me no put him out."

Examination of *James Lawrie*; 3d September 1823.

Says his name is *James Lawrie*; he lives at Success, and is learning the carpenter's trade; knows Jack of Success, he is a cooper; says he can read a little, but cannot write; says Captain Campbell told him he must come down, and tell the Governor the same words he told him.

Tell us the same words you told Captain Campbell?—Says, the negroes said they were going to M'Turk's, the night after the rising, to get M'Turk; the same night they all came on the dam, but did not go to M'Turk's; says Jack told the above to the negroes; says he knows the coloured boy Edward, he lives at Post's, and is an apprentice to Jack at Success; knows he can read and write, but never saw him write for Jack; the negroes came from Post's to Success. Jack, Maximilian, Seaton, or otherwise James, and Bephy, went up to Mahaica, to fight for freedom, which the King had sent them. They wanted to set the Success buildings on fire, but some said it would be bad for themselves, and they did not do it. Jack, Quamina, and Seaton, are the principal people on Success.

Examination of *Toney*, of Plantation Elizabeth Hall; 3d September 1823.

I depose, that on Sunday night, 17th August, I slept at New Orange Nassau, where I have a wife. On Sunday afternoon, about four o'clock, I went to Plantation Paradise, where I met the negro Hans, belonging to Elizabeth Hall, who had just come from chapel at Le Resouvenir. Hans passed me a little way on the road, and then turned back and called to me, saying, "Toney, stop;" and I stopped; he then said, "Toney, don't go no way Monday night." I asked him what for; he said, "Go, I will tell you when I come home." He told me he was going to Gilbert, at Paradise. I went into the field on Monday

---

* Captain Croal was requested to secure this man, by his master, Mr. Albony

Enclosures in N° 7, Examinations, &c.

morning, and did not see him before I went; I and Quashy, and Moses and Jack, were weeding a bed of plantain walk; I spoke to Quashy, and said, I wonder what Hans wanted to see me for. Jack said, his brother wanted to see me, because he heard yesterday when he was in church, that all the negroes were to be free. I said, is that what your brother wanted to tell me; I am not a Christian like you, I have no business with it; I continued at my work all that day, and at night I went to my wife at New Orange Nassau; I went to bed, and some time after I heard a great noise, and I got up, and saw all the negroes were putting the overseers in the stocks. Damon, the driver, called out to all strange people to go home to their estates, and I left it. On the road home I met Hans and Gay; Hans had a cutlass and an axe; Gay had a cutlass; they told me I must go with them to see Success Jack, and Paris. I asked them for what? Hans said, that he wanted to say to me before, was, that I should go down with him; that that night they were going to hold all the "Buckras," to put them in the stocks. I refused to go any farther, and stopped at Friendship Bridge, where I saw the people of that estate breaking it down; I went to New Orange Nassau again to my wife, and slept there; the gang of Orange Nassau had gone down to La Reconnoisance, and passed me on the road, while I was standing at the Friendship Bridge. When I got up in the morning, and went down to Elizabeth Hall, I did not see one of the able men on the estate; I saw my father, who is an old weakly man, and asked after my brother Joe, and he said he did not know where he had gone. I said, what, has my little brother gone with these people too, I must go look for him; I went as far as Nooten Zuyl in search of him; I there saw the white people in the stocks; I broke the door open and released them. Mr. Shanks told me, I must stop there. I stopped there until all the negroes went away, except four guards; Fortune, of Porter's Hope, was one of them, and did not oppose my taking the white people out of the stocks; afterwards Mr. Shanks gave me four bottles of wine, and a coatee, and I went home with them. Sandy, of Non-Pareil was at Nooten's Zuyl, and brought a paper for the white people to sign; the white people went into the stocks when they saw Sandy coming, and signed the paper there; afterwards Sandy ordered them to be let out; he then went away to Clonbrook: the white people were, Mr. Shanks, Mr. M'Bean, and four others. Returning to Elizabeth Hall, I found my brother at Bachelors Adventure, and carried him home with me, where we remained quietly until the manager, Mr. Fordyce, brought me to town.

Deposition of *Barson*, of Paradise; 4th September 1823.

I depose, that on Sunday, 17th August, I went to chapel at Mr. Smith's; I do not recollect the nature of the sermon. After chapel I saw the deacons and members of the chapel in great numbers standing between Romeo's house and the chapel on Le Resouvenir; I stood up at the door of the chapel, and saw Jack of Success in the midst of them; Quamina was also in the midst of them, he had a paper in his hand, which he appeared to be reading to them; afterwards the group went away to Success middle path by a cross road; myself and other negroes took the public road; Gilbert went away with Jack, and they and the other negroes who had gone by the cross road, consulted for some time in the Success Middle Path; afterwards they all came and joined us on the public road; Gilbert then spoke to me and said, that Jack told him the paper he was reading at Le Resouvenir was very good for the slaves, that the King had sent it out for them, and that Mr. Smith had reported it to the members; Jack said, that he supposed the slaves would be free very soon; that even the white people knew about it; I said to Gilbert, "do you think it is the truth;" Gilbert said, he did not know whether it was the truth, but as the paper said so, he held on upon that. Gilbert is not a deacon, but he is head teacher at Paradise. Sam Austin (who is shot) was next to him, and I am next to him. We continued walking on the road until we got home, and I heard nothing more of the business until next day (Monday) at eleven o'clock, when Hanover and myself were bottling liquor, I saw Paris of Good Hope come to the estate, he went into Hanover's house; I went also, and Hanover. When we were in the house, the first question Paris asked me was, "Have you been in church yesterday?" I told him, Yes. When I told him yes, he said, "Can you give me pen and ink?" I said I had none. He did not stop long, but before he went away he said, "You all must come to Bachelors Adventure to-night;" after he went away, I said to Hanover, can that man write; Hanover said, perhaps so, if he cannot write he would not ask for pen and ink. Paris, before he went away, said he was going up to Dochfour. On Monday night between seven and eight o'clock, I was in the yard when a great number of negroes came up the coast to Paradise, and they called out for me, "Barson!" "Where is Barson!" The negroes entered the dwelling-house by the front door, and took away the guns and powder; some came round to the back door and assisted; they then broke open the store and took away some cutlasses. They then went farther up the coast; when they had gone we called the manager Mr. Blackstock, and we got the store door nailed. Among the first negroes who came was Austin of the Cove, Alick of Cove. Late at night another party of negroes came; Telemachus, Joseph (Bachelors Adventure), Natty of Enterprise, Scipio of Enterprise, Maximilian of Elizabeth Hall, Kinsale of Bachelors Adventure, Sandy of Non Pareil, and Hans of Elizabeth Hall, were leaders amongst them; they were the busiest people among them, giving orders. When they came, Joseph of Bachelors Adventure called for Mr. M'Arthur and said, "We want the arms;" Mr. M'Arthur told him the first gang that had come to the estate took all; Joseph said, "What reason "they no put these white people in the stocks, what they left them for?" and before Mr. M'Arthur could say any thing to them, they all rushed up stairs in a bundle, and took out the white people and put them in the stocks. Natty of Enterprise said to the negroes, "I hear

Enclosures in N° 7, Examinations, &c.

"I hear Barson says that white people should not be put in the stocks." Natty then sprang at me and caught me by the collar, and pulled me down and struck me with a cutlass on the shoulder. Sandy of Non-Pareil said, "Don't strike him, but take him with us;" and he said, you and Hanover must both go; they took us as far as Haslinton. I took an opportunity, and got away from them.—(Tuesday) Maximilian, Nero (Elizabeth Hall), Billy (ditto) were put guards on the white people; they all had guns; Maximilian had the key. About eight o'clock in the morning I went up to him, me and Hanover, and begged him for the key; he told us no, three or four times: at last he said, yes, take the key of the stairs, but he did not give us the key of the stocks. We opened the door, and tried if a key which Hanover had would open the stocks, but it would not do. Mr. Pollard said, "Barson, I saw Billy come up just now with the stocks key." I went back to Maximilian and got the key: he said, "Take care don't let the white people out, but only change their feet." I went up stairs and changed their feet. I would have let them out, but they would not agree to it themselves. Joseph and Natty came back that day to Paradise, at about twelve o'clock, and they were told that I had been plaguing the guards for the key, to let out the white people: they said, therefore, that I should not stand there, but must go up with them to Mahaica. I went with them to Mahaica. Joseph put a double-barrelled gun into my hand, and made me walk before him. Gilbert then made his appearance, and went with us. When we reached Nabaclis road we met Joseph the driver coming out on horseback; he was tipsy, and was galloping. When he was coming out Joseph said, "Look, there's a rascal like yourself, white people's servant:" he said, "Speak to him yourself, you rascal you." I said, Joseph, how far are you going; he said, to Haslinton. I said, (at the desire of Joseph), get off your horse. Joseph (Bachelors Adventure) said, "Have you any letter. White people send you any where?" Joseph said, No. "Will you go with us?" he said Yes, I will go; but he was obliged to be asked twice before he said yes. He let go the horse, and went with us to Baillie's Hope. I found there a man belonging to Paradise (Sam Austin), shot. I stopped with him there: two men from Enmore carried him, and I went with them to Paradise; he was quite dead. I found the white people still in the stocks. I slept on Paradise that night. The negroes came down the coast in the afternoon. Jack of Success, Joseph (Bachelors Adventure,) and the others I named before were with them. Jack had a paper in his hand; he showed it to the white people, but I did not see them sign it: he ordered them out of the stocks, I never left the white people after that until I was taken up. Jack had a book in his hand, from which he read to the white people before he released them; I took Miss Swan (Mr. M'Arthur's housekeeper) and her mother, and a coloured woman named Biddy into my house for protection.

The free coloured woman *Leonora*, housekeeper of M'Arthur, being examined, confirmed the statement of Barson, and said that he had behaved very well on the estate, as well as Hanover.

Examination of *Daniel*; 6th September 1823.

Says, I am a member of Mr. Mortier's chapel; I am no relation of Jack; I saw him lately at Camp-house in July, about the 23d or 24th; he came to see me on a Sunday about nine o'clock in the morning; he spoke to Adam, and inquired for me, and I went out to him; he asked me in my room (he and another man) how I was, and said, "I have something very particular I wished to see you about;" asked how I came on with my reading; and asked me what news I had; I told him I did not know; he told me he had heard the negroes were all to be free, and as I was the Governor's servant, he wished to know if it was true; I acknowledge I am in the habit of reading the Governor's newspapers; I never was at Post's chapel; I told Jack I had read the third chapter of the second book of Timothy; I recollect the seventh verse, "Ever learning, and never able to arrive at the knowledge of the truth;" that chapter was the chapter of the day; Jack told me their text last Sunday was "All things working together for good for those who love God." I don't know Joe Simpson; my brother Sam is also a member of Mortier's chapel; I do not know if Dembar goes up the coast. This is all I know about it.

Examination of *Cato*, a Free Black Man; 6th September 1823.

I live in front of Success, near the Koker; the head driver, Richard, ran away about two months before the insurrection; a girl belonging to the manager, named Gracy, also ran away; Hamilton also; the manager came to the waterside, and took me aside and told me to go to Houston to look for them, and that he would give something handsome to me if I secured them. Mr. Stewart told me that the people had foolish stories in their heads about being free, and that they would bring themselves in trouble, but said never mind, Cato, try to get these people for me. I went to Houston for them, but did not find them. On the day that Baron Van Grovenstine gave a dinner to Mr. Simpson and other gentlemen, Joe came to my house and said he wanted to see Quamina; I told him he lived aback. Joe said he had no great things to tell him, but said, old man you speak like you're frightened; he said he read that the King had sent out freedom for the people; I told him that his master only could give him free; afterwards Joe went home. After that (three or four days) I saw Quamina of Success; I said to him, what story is this the people have, they say they are free? he said, yes, he knew the people were free, for he had mentioned it to Mr. Smith, and that Mr. Smith had mentioned it to Mr. Cort; he said if Mr. Cort asked him how he knew it, he would make him sensible how he got his information. On Sunday, 17th August, I was at the chapel; the deacons I know are, Quamina, Success;

Particular

Enclosures in N° 7, Examinations, &c.

Particular deacons, Bristol, Chateau Margo; Jason, Van Cooten's; Seaton, Success; they were all there that Sunday. I returned to my house by the middle walk of Le Resouvenir; I heard nothing of what took place between the slaves after chapel; slept at my own house: I dined with my wife that day, and slept there. Monday, at nine or ten o'clock, I saw Dr. M'Turk at the side line of Felicity and Le Resouvenir, I was going fishing with a small seine; Dr. M'Turk took me to Felicity to mend his stable; I finished it as far as the lumber would go, and then I went back to my house about one or two o'clock; I saw nobody at my house that day except the people that went out to fish; viz. Souvenir, Mr. Post; a free soldier, Hardwill, Davy and Kenny, two boys of Success; Arian, Jan, free men. I can read print, but cannot read writing, nor write; I was taken up that day at half-past four o'clock, and was given in charge to Mr. Massia, manager of Brothers; put me in the stocks, and put two drivers to take care of me; seven o'clock, a great number of negroes came, broke open doors, and let me out of the stocks; they wanted to put the overseers in the stocks. Richard came up to me, and said, you, master Cato, the manager gave money to look for me; I will cut your head off: I said, you cannot. Richard went away; they heard the soldiers coming; they, the negroes, beat the driver Bob before they went away in a cruel manner, and dragged about the overseers in a ruffian way. I did not send for Joe Simpson; he came to dun me. I give a guilder a month to Mr. Smith; I supply him with fresh fish; sometimes he asks me for subscription to missionary society, and I give three guilders, or thereabouts; and every time I take the sacrament I pay ten stivers for the wine. I take sacrament every month. Mr. Smith keeps a check of those who pay, and is very strict. I have often seen turkeys and fowls brought to Mr. Smith by the negroes, also yams, &c. and particularly at Christmas and holidays. After the negroes liberated me at Brothers, I went straight home to my house; I slept there that night, and returned next day to the Brothers and gave myself up. A week before the insurrection began, Barre, or Bob Murray, the black butcher, came to my house at night late; I heard the dog bark; I asked who is that: he kept a girl at Plaisance, and he could not get a lodging; he therefore begged me for a lodging; at ten o'clock at night I went away fishing, as the water suited; he told me he was going up the coast to Greenfield for cattle. I have not seen Bob since. I know nothing about the origin of the insurrection further than I have stated. Mr. Hamilton was in chapel on Sunday, 17th August.

Examination of *Tully*, an African belonging to Mr. Hyndman; 8th September 1823.

I was lying in my bed one Sunday; Jack came to me in town, and asked me if I had heard any thing about freedom having come out. I asked him who told him so; "Some of my friends," he would not name them; he said he would take it by force if he could not get it; this was about three weeks before the revolt happened. I asked him if he was able? he said he was. I told him he had better drop it; I saw no fight in his eye. I am not a Christian; I know Gilles, he was a butcher in town; I never went to Post's chapel; I first knew Jack when he was a little boy on Success, before the buildings were up. I kept a girl there; I acknowledge Jack asked me to go about among my friends to tell them; I told him I could not, for I was lame; I never heard any thing from Barr, or anybody else.

Why did not you tell your master?—I expected Jack would come again.

I know Goodluck, of P. M'Clure; I never talked about this business.

Examination of *Gilles*, belonging to Mr. Allan; 8th September 1823.

Saturday, before this business began, I asked for a pass to go and see my children at Endraght. On Saturday night I slept at Cuming's Lodge; I keep a girl there. Sunday, eleven o'clock, I went to church; after church I returned to Cuming's Lodge. At nine o'clock on Monday morning I came to town; I saw Quamina; only said how d'ye; I know Cato, of Success; I saw Cato at church, but did not speak to him.

This witness perseveres in obstinately denying every thing. Bess, at Cuming's Lodge, creole, field, pregnant, is his wife. Johanna, Rosanna and Robert, at Endraght, are Gilles' children. This is a very bad character.

Examination of the boy *Edward*, at Le Resouvenir, by C. A. Van Grovestins; 8th September 1823.

What is your name and age?—Edward Dalton; suppose nine or ten years.

Are you free or slave?—I don't know.

Have you been baptized, and by whom?—Yes, by Parson Wray.

Can you write and read?—Yes, a little.

Do you know Jack, of Plantation Success?—Yes.

Did he not employ you to write for him, from time to time?—Yes; I cannot tell a lie; I wrote one letter for him.

To whom was the letter addressed?—To Jacky of Dochfour.

Do you recollect the contents of that letter?—"My dear brother Jacky, I hope these few lines will find you well, and the rest of the brothers. Monday the 1st will be the last day, and I hope you will remember to let all the brothers know, of the different estates." I cannot recollect any more.

Where did you write that letter?—In Jack's own house at Success.

What were you doing at Success?—I went there to learn, under superintendence of Jack, the cooper's trade.

Enclosures in N° 7, Examinations, &c.

Did you ever hear Jack speak of freedom having come out for the negroes?—No.
Show me your handwriting.—*Edward wrote his name.*

The above having been read to the boy, Edward Halton, he declared the same to be true.

Examination of *Colin*, of Plantation Plaisance; 8th September 1823.

Atilla, of Plaisance, told me of this business two or three weeks before it happened. Atilla is a carpenter, and was working at the negro-houses. He asked if I had heard of any letter come out about freedom; I told him, "No; the living I have was as good as freedom." He said, "After you live so well, I will go seek for my freedom." Atilla is my own brother by father. When he left La Retraite, he spent a week at Plaisance, after which Mr. Waterschoodt took him up the river in a boat for sand; he came down to town in the same boat, and the next morning carried to Plaisance the provisions left; and the next day, being Sunday. got to La Retraite. I know Jack, Cato, Quamina. I know nothing more of this business.

Confrontation of *Tully* with *Jack*; 8th September 1823.

Jack says, I had not seen Tully for eight or nine weeks. I told him I had heard something had come out for us—freedom, or three days, and asked him if he had heard any thing? He said No, but he promised to let me know if any thing happened. Jack says, Tully told me if we took the country, he would send up all his friends from town, but could not come himself, he was lame.

Jack persists and declares the above is true.

(*Question to Jack.*)—Did you read to Daniel?—Yes, I first read to Daniel the fifth chapter of Romans, and Daniel read to me the third chapter of Timothy.

Captain *Simpson's* Deposition respecting *Joe* discovering the Insurrection, 8th September 1823.

States, on Monday morning the 18th, the day on which the insurrection took place, between the hours of seven and eight o'clock, I heard a bugle blow below my house, on which I got out of bed, when immediately the boy Joe, my house boy, came into my room. He said he had blown the bugle to wake me up, as he was anxious to see me, and I had slept unusually late, and that he had something very serious to tell me, at which time I observed tears coming from his eyes. He said the negroes had determined at the chapel yesterday, that they were to rise that day or to-morrow positively; that he had employed Donderdag the driver, who had given him the necessary information, and that he had gone to Mars at Van Cooten's, Sunday night, who had stated it to be the fact, but that he, Mars, told him it was ill contrived, and he would keep out of it; that he had some days before stated the conspiracy the negroes were forming, to William Cuming, a free man, a mason, and that he was determined to find it out, and tell his master in time. I then resolved on going to town to inform the Governor. On my way I met William Cuming, and asked him if Joe had informed him of it? He told me he had, and that he had ordered Joe to tell his master, and that Joe replied, if he told him it before the time, they would not believe him; that he would search it out, that he, Cuming, supposed there was something in the buggers heads, and I then went on, and reported to the Governor.

States further, I asked him, Joe, what the negroes intended to do? He said, "they would kick up a bustle, and some of the smart people would secure the arms, and then you know, sir, they will kill the white people at last; but go to the Governor directly, there's no time to be lost, it was only yesterday determined on," or words to that effect; but he seemed to be uncertain whether it would be Monday or Tuesday night; he seemed all along distrustful the negroes would commit murder on me. Even when a negro was brought over wounded (being shot through the shoulder,) from Montrose to Plantation La Reduite, he requested I would not kneel down to inspect the wound until I made two men stand over me with sabres, and to examine if they had any concealed weapons. Joe shot the first man with my pistols who attempted to enter my house.

Jacobus Meertens's Deposition; 8th September 1823.

On the same day that Louis, brother to Colin, was hung, and on being informed that his whole family was implicated in the disturbance on the east coast, when I returned home I called Colin, and in the presence of McClean, the manager of Plantation La Retraite, I told him what was going on on the coast, and acquainted him that his brother Louis was that same day hung; and further, that the whole of his family was already taken up and lodged in the barracks as prisoners. I made him many questions, and asked him, whether he knew any thing of all the disturbances now going on on the coast; upon which Colin answered, that he knew nothing whatsoever, and that he was perfectly ignorant of what was going on; but, nevertheless, I confined him on suspicion in the stocks of the estate. Next morning, coming in town, Captain Edmonston requested me to bring Colin to town, and to lodge him in the guard-house, which I did. Many days elapsed, that I did not see Colin, but a few days ago Mr. Spencer returning from the barracks, told me he had seen the negro Colin, who was desirous to see me, having something to communicate to me, I went to the barracks, and Colin then confessed, in presence of Captain Smit, of the Atalante, and Mr. Padmore, that he knew that some disturbance was to take place, and

that

Enclosures in
N° 7,
Examinations, &c.

that he got that information when he was last on the coast, and being in the negro-houses on Plantation Plaisance, with Atilla, Medius, and Adonis, they told him that Parson Smith had told them that some papers had come from home, by which they were free, and asked Colin if he had heard any thing of it in town. Colin answered, "No; besides I have too good a living on the place where I am now, that I do not wish to be free." I asked Colin, if he knew Jack and Quamina? his answer was, yes, he met them always in church, as well as the free man Cato, with whom he was also acquainted. I observed to the negro Colin, further, what reason he had, the day he drove myself and family from Plantation Pooderoyn to Plantation La Retraite, which was the first day of the disturbance on the coast, and previous to the hanging of his brother Louis, that he was constantly looking to town; he was surprised at my observation, and answered, he expected some fighting in town. I must further add, that the week before the disturbance took place, Colin was very anxious to return to Plantation Plaisance, although he had but a few days left that estate where he had gone with my leave only to stop a day, and had made an absence of a fortnight. And lastly, I have to observe, that I had a conversation with the negro Atilla, in the guard-house, a few moments before he was executed, and asked him whether Colin was concerned in the disturbance that took place on the coast; he answered me, as he had but a few moments more to live, he had nothing more to say than what he had already mentioned to the Court; but he told me to be on my guard with Colin, as he was a great villain. All this I declare to be the truth, and which I am ready to testify on oath.

Jack, of Success, Confession; 8th September 1823.

The first of this business I was told of it by Cato, the free man, about four weeks, bringing a message from Mr. S. boy Joe telling it to my father Quamina, in the presence of Active; and my father sent Active and York with letter to Joe S. to know the full extent of it; and he sent to tell us that such is so, that we are to be free by what he had seen in his master's paper; that Mr. Wilberforce was doing his best, and that if we would wait a little, he Joe would be the head of it, and put us in the right way of doing it; then I, Active and Prince, all of Success, after hearing this from Joe, and knowing Daniel a long time as a friend, I went to ask him about it; Daniel at first said he did not know any thing about it, and asked me who told me of it? I told him I heard it from Mr. Simpson's boy; Daniel then said he had heard a little of it from some friend, but then he did not know whether it was true or not; I then said he must inquire and seek into it, and let me know whether it was true or not; he promised he would, " and that if it was a thing God ordained, it will be, and that it would be a good thing for us to have a little patience, and then we will know further about it." The two negroes, Damon and Providence, of New Orange Nassau, told York that the overseer on their estate told them that we were free, but he dared say they would rather give us three days than freedom; that all the great men at home had agreed to it except our masters, Taddy in town, belonging to Mr. Hyndman, I asked him respecting it, and he told me he had heard of it in town; I told him we intended to ask about it, and ascertain the truth, and that he must try his best to see if he could find it out for us, and he promised he would do all he could concerning it, only he was sorry he was lame and not able to go about, and that he would send me a message as soon as he could.

Mr. Hamilton's girl Susanna, came to me on a Sunday outside the chapel, about seven weeks ago, and said, "Mr. Hamilton says we are to be free, but he does not think they will give it to us unless all the sensible people went by force about it, and would not give it up without a positive promise from the Governor;" I answered, "What do you mean by force, are we to fight, or what? She said "No; but Mr Hamilton says no, you are not to fight, but as soon as you take away the arms you are to keep possession of them, and turn all the whites off to town; as for himself he don't care, as he was going off the country, and he wished we would give him a little time to get away his stock and all his things; and also if one or two sensible men would come to him he would put them farther in the way of doing it." I went to see him myself the Sunday before the revolt, and when I went there I saw him from the kitchen walking up and down with two gentlemen in the hall, I was obliged to go back to chapel, (eleven o'clock) and did not see Mr. Hamilton after; but I told Susanna at her own house, to which we went from the kitchen, to ask Mr. Hamilton if I could see him after service. After service, I returned to her, and asked her what Mr. Hamilton said? She answered that "Mr. Hamilton could not see me now, as the two white gentlemen were still with him, but that we must go by force, and collect as many sensible people as possible; that if the Governor should come to know the reason of it, all we sensible people were to come forward and speak, for it is so, and it cannot be hindered if we are determined; that if we were not a parcel of cowards we would have had it already, for it had been ordered for some time." We only met once at Success Middle Walk, on the Sunday 17th, after service, where we settled every thing; we did not appoint any particular captains to districts or places. Billy and Jacky Reed were to command at Mahaica; Joseph, Telemachus and Sandy, were to command at Bachelors Adventure, and down till they met Paris, and on the Mahaica side until they met Jacky Reed. Jacky Reed sent a message on Tuesday to Telemachus, saying he was sorry he had acted in such a manner, but he was still willing to return if he would allow him. Telemachus answered yes, but Jacky did not come. Mars and Azor were to be leaders as far as they could towards town, Joe was to rise at Simpson's; the signal to town was to be the firing of guns on the coast, and Taddy was then to send all his friends to join us on the coast. Paris told me he knew how to get into the fort and at the powder magazine; he said this in presence of Active; Gilles was to try his best on West Coast; Goodluck said there were two young men, creoles of some other colony, to stir it up in Leguan.

Enclosures in No 7, Examinations, &c.

Examination of Mr. *Manson*, manager of Chateau Margo; 9th September 1823.

Knows, that about three months ago the boy Heyliger was flogged by the driver Quaw, upon the side line betwixt Success and Chateau Margo, about one hundred roods in front of Chateau Margo buildings; he, Mr. Manson, had relieved the overseers in the boiling-house that night, between ten and eleven o'clock, he heard the sound of a whip, and shortly afterwards the boy Heyliger running into the boiling-house, saying, "look what Manuel do me because I owe him a guilder for light for the church." On inquiring of the boy's father the next day, heard from him that Manuel had complained of Heyliger being impudent to him, and he, the father, told Manuel to switch the boy with tamarind rods, but had no idea he would flog him with a whip. Mr. Manson says, the punishment was thirty to forty lashes; he, the boy, was cut, but not a great deal; does not consider Emanuel was at all authorized to inflict such a punishment, and he received no orders to that effect from any white person: says, Emanuel is a carpenter on the estate, and is a teacher of the chapel, and keeps meetings in his house; says, the boy Heyliger has since retracted, and says he was punished for insolence to Emanuel. When he, Heyliger, came into the boiling-house, he told Mr. Manson that Manuel said, after he was flogged, he must not complain to any white person. Knows no more about it.

Examination of *Bristol*, of Chateau Margo; 10th September 1823.

Bristol says he has been a deacon some four or five years; he took the sacrament the Sunday before this business; thinks it was that Sunday. Knows Quamina of Success; he and Quamina went together to Parson Smith to consult him, as they had heard there was some paper come out, and the people were grumbling about it: he said yes, there was such a thing, but they must wait a little, their master would tell them about it. Cannot really tell if Barr carried letters or messages, but saw him on the coast occasionally. Says Jack told him Mr. Hamilton said, to tell him when they were going to begin, and he would give up his gun. Knows Tully, but has not seen him a long time; what he knows of him Jack told him. Says he was not present at the class meeting that Paris mentions. Says he recommended Jack not to be telling the negroes stories about these things, but to wait; Jack told him to go away, he was always a coward, and he would do as he liked. Quamina, Jason, Bristol, are deacons. Can read a little, to teach the first catechisms, and tell the parson who wants to be christened; he paid two bits a month. Says Jack told him that Mr. Hamilton told him, Jack, of this thing, and therefore he believed it. Says Jack is not a member of the church; heard of the thing two weeks before it happened, and thought he had dropped the idea of going on, or he should have told his master. Says, in the morning of Tuesday, about nine o'clock, when he went into the sick-house at La Bonne Intention, and saw Mr. Tholen, and some other gentlemen, in the stocks, he persuaded them to let them out, which they did. Went aback and staid a week, and came in last Wednesday, and they took him up. Says neither Paris nor Mr. Hamilton are communicants, nor Jack. Knows nothing more about it.

Quamina, Jason, Bristol and Seaton, are the four deacons.

Deposition of Mr. *Tholen*, Manager of La Bonne Intention; 10th September 1823.

Says, that about nine o'clock on Tuesday morning the 19th, Bristol came into the stocks room armed with a cutlass, and gave orders, with an air of authority, that the keys of the stocks should be brought, and the white people should be released from the same, which was done directly.

Deposition of *John Grant*; 10th September 1823.

I never heard any thing of this business till the night it broke out. I remonstrated against their putting me, an old man, into the stocks; they accused me of hiding from them the letters from the Governor, containing their rights. When they let me out of the stocks, the head people recommended me to be quiet, as they were all going to the Governor in the morning, and if the Governor did not acquiesce, "we will take it by force; 'tis true we are short of arms and powder, but we will get them soon; but at all events you had better leave the colony as soon as you can." I heard nothing amongst the negroes to lead me to believe they intended to attack the town, although I thought the thing was general from their bold manner.

Deposition of *James Allan*; 10th September 1823.

Mr. Allan attended, in consequence of a notification from the Board to request he would give every information respecting the negro Gilles, and his progress on the west coast.

I examined Hope, Claes, Moses and Trim of Plantation Willem, and several of the gang, and they all declare they know nothing of this business, and that Gilles never disclosed any thing of it to them; they also declare their utter abhorrence of the thing, or having any connection with Gilles since he was sent off the estate: I examined them in the presence of Captain Newton. With respect to the character of Gilles, the first I knew of him was at Plantation Endraght, where he was head driver, and was sold off that estate by Mr. Wilson for knocking down the overseer Mr Charles M'Lean, and purchased by Mr. M'Kinnan, with

Enclosures in N° 7, Examinations, &c.

with whom he continued three years in a task gang, when he came into my possession about five years ago, during which time I had repeated instances of his bad behaviour, which compelled me to send him off the estate until the 12th of June last, when he came back, and I allowed him to remain on his promise of better behaviour. During his absence from the estate he was hired by Cato of Success, and intimately connected with Jack; and I really believe he is a character bad enough to be guilty of any thing; and for further confirmation I refer to H. B. Fraser and John M'Lean, of Vrees en Hoop.

Mr. Allan declares, on being questioned when the manager gave Gilles the pass, that it was given about a week or ten days previous to the revolt.

Confession of *Jack*, of Success; 11th September, 1823.

Hay, Seaton and York (all of Success) were present when the plans were laid, and are as deeply concerned as Quamina, Bristol, Manuel, Azor, or myself. A negro named Jack, of Success, a boiler, was also as deep as the rest of us. This boiler is a bold, daring fellow. Richard is a desperate fellow, and fears nothing when his passions are roused; if not caught, he will, I am afraid, do some harm to Mr. Stuart, the manager, yet. Bristol's sister is my wife; Bristol's father Cambridge, and his brother Dick, belong to the Kitty. Seaton was present when Mr. Hamilton's girl delivered the message from Mr. Hamilton. Philip, free black, on Sunday, 17th August, at chapel, told me that Frederick of Turkeyen had desired him to say that he wanted to see me, but I did not go: I don't know if Philip was in the secret. Goodluck was informed by some young men of colour in town, that our freedom had come out, and he came up the east coast with the news; he told me their names, but I forget them now. Dick or Jessamy fired the shot at the Governor: I was not present, but was told of it afterwards. I have no hope of being pardoned, but will tell anything I know notwithstanding.

Confession of *Scipio*; 11th September 1823.

Said this morning that Paris offered to have the powder magazine secured, if he could get three daring fellows to assist him; but Sandy, who was present, opposed this, by saying, they had no business with the King's soldiers, or anything under their charge. Paris said he used to work at the magazine formerly.

Examination of *Paris*, of Good Hope; 12th September 1823.

I first heard of this thing twelve months ago from Quamina and Jack, both together, when they told me the King had sent out freedom for all the negroes, and the gentlemen paid the Governor not to give it; then they kept on consulting how they were to do to get this freedom. I did not hear any thing then for a long time. Sunday before they began, I met Quamina and Jack; there were a great many people at church, when Quamina and Jack told them all about it; this was before church began; from that they all agreed to begin; and on Monday morning not to go to work. Quamina and Jack said, that on Monday evening before they began to do any thing, they were to get all the managers and overseers and put them in the stocks. Then, after the service that same Sunday, 17th August, Mr. Smith called the deacons of the church, and some other people went in; I was one of them; Quamina, Jack, Bristol, Manuel, Azor, and Joseph, are the names of the deacons I recollect: I am not sure Jack is a deacon. Parson Smith then gave the sacrament and said, this bread signifies the body of Christ, which was to clean their hearts, and that they must now tell him, when they took the country, if they would do him any harm; they answered, no, and he then said, " go, as you have begun in Christ you must end in Christ." No woman present. This was about four o'clock, after that, Parson Smith brought the Bible, and we every one laid our hand upon it; Mr. Hamilton was present, and took along with us both the sacrament and oath.

We are all servants of Jesus Christ, we began with him and we shall end with him, through life or death, and whatever happen we shall call no name.

Then we every one bowed our heads, and Mr. Hamilton came out, and Jack after him, and I followed Jack. And as Mr. Hamilton and Jack went along, Mr. Hamilton said to Jack, " before you begin, you must take down the bridges to prevent their bringing up the big guns;" and then Mr. Hamilton said, in a few days after the black people take the country, he should take the President's wife for himself, and Jack said, the Governor's wife should be for Quamina, and if he found any young woman, he would take her for himself; then Mr. Hamilton went into his own house, and told Jack that when he had begun and was going well, he would give us the paper the King had sent out, and then they, Jack and Paris, went to Success Middle Path, where all the people were waiting for Jack; then Jack came and told us, we must begin on Monday night 18th August.

On Monday I saw Jack again in the evening, and it was then he informed me that the whole country was to rise, and the people from Berbice were to come down to take this town. Then he, Jack, told me he had sent messages to Capoey, Waakenham and Leguan to tell the people, and that they were all to come this side and to bring a thousand Bush negroes from Waakenham; then he told me, he had got the head and the second driver of Herstelling, to carry the messages to the people in the river, and that they were all to rise in that quarter: the head and second driver of Rome, the head and second driver of Belle Vue, head driver and the butler at Vreed en Hoop, head driver and the cook at Rotterdam, the head driver of Annandale of Waakenham. I cannot recollect the names of the other

Enclosures in N° 7. Examinations, &c.

estates mentioned to me by Jack. I now remember he said the Colombia. I declare that all I said to Captain Edmonstone the other day is true. I know nothing of Essequibo myself, but Jack told me the names of the estates there.

Did Jack ever tell you any thing about the names of the estates you have mentioned, any time before or since the Monday you mention?—No, only that one night.

(To a question from Mr. Austin.)—When they receive the sacrament, they sit down.

Jack said, when they put all the white people in the stocks, and took the town, they were to burn the ships, and murder all the white men. This Jack said to all the people on the Success dam. Quamina to be king; Jack to be prince; Mr. Hamilton to be general; Parson Smith to be emperor. (This means a man greater than the king.) Tuesday afternoon I was with Jack as far up as Nooten Zuyl, and saw all the gentlemen from there to Bachelors Adventure sign a paper when they came out of the stocks. Tuesday night I went home, and left the plantation in the morning, on account of firing I heard there, and went to the back dam of Success, and joined a number of people there. Jack came to them there, and picked all of them out that had arms, and marched them on the dam. This was after the fight at Bachelors Adventure. Jack reckoned the people with arms, and said there were two hundred. After the battle of Bachelors Adventure, Quamina told me that he had been to Mr. Smith between nine and ten o'clock in the morning, and he brought a bottle of porter, which he said Mr. Smith had given him; and he said Mr. Smith said they must keep it on, and not give it up: I drank some of the porter. After this I do not remember. The day Mr. Edmonstone's servant came to call us, and was followed by Baron Van Grovenstine, who told us all to come in. I left the negroes that night, and gave myself up to Mr. Cort the next morning, about nine o'clock. I never saw Colonel Leahy at any time during the revolt. Jack told me, Dr. Robson, Chambers, and some others, I do not recollect the names, were to be saved. No mention was made of the parsons. This is all I recollect. I never put my hand on any white man. I know Bob Murray; I saw him go up the coast Thursday night before this began; I asked him where he was going; he said, to buy cattle, and he hoped to see his friend Jack when he came back, to hear from him again this story he told him. He said he had heard from Jack the whole country was to rise, and he was employed to take the town, and he wished to know if it was true. The day before I saw Bob Murray on the coast (Wednesday), I met the Governor's man Sam in town, who asked me to carry a letter to Jack, of Success, which I refused to do, as it was too far to go. I went to church on the 17th, to hear whether Parson Smith would tell us if this story was true, and not with the intention of taking the sacrament; but after they all took the sacrament and oath, I was obliged to take them, lest I should be suspected. The hymn the Sunday before the fight was all about war: "The Lord will help us in the fight; he is able, he is able, he is able."

Examination of *Manuel*, of Chateau Margo; 12th September 1823.

I am a member but not a deacon of the chapel. About two months ago Jack told me he had heard of a paper having come out from England to make the people free; I went to Quamina a few days after to inquire of this story, and he, Quamina, told me, Jack had said it was so; I then advised Quamina to ask Mr. Smith; he, Quamina, did go to Mr. Smith to inquire about it, and asked him for what Mr. Cort and Mr. Stuart had been to him, the parson; and Mr. Smith, said they had been to ask him if any negroes had been to ask him about "free paper," and the parson replied to them that Quamina had been to ask him, and he had told him what he knew about it; soon after that, Jack came to my house at Chateau Margo, and began to quarrel with me, and told me I had better take care of myself; I was a man from Africa, and he Jack was a Creole; after that Jack brought Paris with him to get me to agree to turn out the Chateau Margo people with them, but I would not do so, because the deacons told me that Mr. Smith said they were not to do it; Jack on Monday night came to Chateau Margo, and took away some of the Chateau Margo people, Baron Van Grovenstine's, and a great many others, and did not return till the third day, and then they came by the back dam; I went into the cane piece on Tuesday morning; I was present when the troops took the manager out of the stocks on Monday; I remained in the cane piece till Sunday, when I came out and found some of the negroes had come back; I was at church the Sunday before the war.

This prisoner refuses to discover or say any thing relating to the questions put.

Examination of *Bristol*; 14th September 1823.

I did not return into the church after the service was over. Goodluck told Jack, and Jack told me, all the people in Essequibo side were ready. This was at Chateau Margo where the conversation passed, and Goodluck was present; this was two Sundays before the Monday the negroes rose. Goodluck has a wife at Chateau Margo; I did ask Mr. Smith about the paper come out, two or three Sundays before this broke out. "I hear there is a paper come out to give us two or three days time." He told me Yes, there was something come out, but we must wait, and our masters would tell us. I deny that I took any oath on the Sunday. Jack told me Mr. Hamilton refused to buy the girl he kept, after his discharge from Le Resouvenir, saying, they would all get their freedom very soon. I have often seen Jack and Mr. Hamilton in conversation together. I subscribe two bits a month; two bits for sacrament, and sometimes give him, Mr. Smith, a fowl and two or three yams. After church, the Sunday before this broke out, was over, I went over to Chateau Margo. We sit down when we take the sacrament, "This is the body of the Lord

Enclosures in N° 7, Examinations, &c.

Lord Jesus Christ, and whoever partakes of it unworthy, eats damnation to his soul;" then the bread was given to me and Quamina, and we gave it to the others; the same thing was done when the wine was given. It is not given in secret, any body may see it. I have heard the negroes at Bachelors Adventure had a Bible to make a promise. I never recollect seeing Paris in the chapel when I was taking the sacrament. He very seldom came to chapel.

Examination of *Seaton*, of Success; 15th September 1823.

Says he knows Gilles, saw him about fourteen days before this thing happened, at Success; denies Hay was there the day above mentioned; says Gilles and Hay came together to the Success; heard them talk together; Gilles told Hay, he said his master read in the field the paper that no women were to be flogged, and that if men did any thing wrong the master must lick them himself, and lock them up; Hay told Gilles, "go, we hear more paper has come besides that;" and if he heard any more he must come back; that was all he heard pass between them. Sunday before the rising, he was in chapel; after service he went to Mr. Smith's house, between three and four o'clock; Quamina and Bristol were there; and some others whom he does not recollect. Went on their own accord, and Quamina had a conversation with him; Quamina asked him if he had heard any thing concerning the paper that had come out; he said yes, it did come out; Quamina asked him what was in the paper, he wanted to hear it; the parson said, "the thing in the paper is good, as well for you as for your children, the paper comes so far; that the work you are working now you think hard, but wait a little bit, and your good Governor will tell you all about this paper;" he then said, "Well, Quamina, this paper says you are to work well in the field, and nobody is to touch you, and likewise the women are not to be touched; and if any of these do any thing deserving punishment, the master is to put them in the stocks," Quamina said, "Very well, all good;" then we came away. Says he is a deacon, can read a little; there were five deacons, Quamina, Bristol, Manuel, (self) Seaton and Romeo.

He was in chapel before the service began on the same Sunday with the parson; believes it was the Sunday before the last Sunday he took the sacrament; pays ten stivers when he takes it; takes the sacrament every month; once a year they throw up for the missionary at home; he bought a Bible from Mr. Smith, paid eleven guilders for it; never saw him give a Bible without payment, nor heard of it; Testaments from six bits to two guilders. All this thing comes through Jack.

Says he is a boiler; was working aback, and betwixt four and five o'clock on Monday heard a great noise and bell-ringing; when he came, their negroes and Post's people he found all together; saw manager, overseer and book-keeper; said, "come, master, let us go into a house;" some said no, he then led him to his own house. Was up the Middle Walk of Success Sunday after service; Quamina came and told what Mr. Smith said, and asked them what they wanted to do; they said to sit down in the house; told them that would not do; then some began to quarrel; then Quamina said, "You go, and I shall hear better;" this was Sunday. Says they heard in the evening that Jack and his father were tied, and that two boat people, Frank and Windsor, cut the ropes and let them go. Was at Bachelors Adventure, and saw Colonel Leahy there, and he came and spoke to them, and told them to lay down their arms; they told him no, they would all go to the Governor; some of the people wanted two days, some three days, and last of all they wanted freedom, and they would go to town; the Colonel told them if they did, they would all get hung, for there was martial law.

Says the negroes on the estate were regularly supplied with fish, plantains and clothes; and that he believes the sick were always well attended to, never heard to the contrary; he never was in the sick-house himself.

Persists in obstinate and evasive answers.

Evidence of *Jack*, of Success; 15th September 1823.

Admits that he thought the greater part of the people were to be free, or have three days in a week; denies he told Paris the names of the Essequibo and river people, who were to join as declared by him, has known Gilles a long time, since he was a little boy; says, Hay has a son working with Mr. Grant the mason, and he asked leave to go and see him, but in reality to see Gilles, to know if they were ready to join, and Hay went in consequence of conversation which had passed between them about the rising; says he was at chapel the Sunday before the rising in the morning, a little before eight o'clock; did not take the sacrament; says, Hay met Gilles on the other side of the river coming up, and they returned together to Le Resouvenir on the Saturday, which was two weeks before this business; Hay and Gilles had a good deal of talk, and Gilles told them all; no driver on his place had a whip, and no woman was allowed to be flogged, and asked if the same was the case on their estate; he, Jack, answered no, not yet; says, the next morning, when at work in the cooper's shop, Hay told him all that was agreed for Gilles to say when he got home, which was to get as many estates as he could to join; says, he had not seen Goodluck for a long time, but on the Sunday before this he saw him; he told him there were four boat captains in particular he was acquainted with, but he had only spoken to two of them about this business; besides these captains, there were two creoles of the islands he had sent to; says, he only called on Daniel once about five or six weeks before the rise; asked him if he had heard any thing about freedom? he said no, and asked him, Jack, where he had heard it? he told him

Enclosures in N° 7, Examinations, &c.

he heard it from Joe Simpson; he then said he had heard something about it, but not from a firm person; he told him to inquire about it, and let him know, which he promised he would; he, Jack, understood that Bristol had had some conversation with the Governor's servant, Sam, about something that had come out; says, he read to Daniel the fifth chapter of Romans, about the first ten verses. Daniel said he had a paper about the Barbadoes war, but could not get at it just then, and said they had the same talk in Barbadoes about freedom, and that they made a foolish war, and a great many lost their lives; says Daniel read third chapter of Timothy, not quite sure; knows Bob Murray, but never said anything to him; says, it is not quite a year since he saw Daniel before this time; he called on him at the Governor's; says, he knows Juliet; she is a woman his father engaged to marry at church, which would have taken place when twelve months expired from the death of his last wife; says, he went regularly to church, except when shipping sugar; does not recollect either the text or psalm given out on the Sunday before this insurrection; says, on that Sunday after the service, his father (Quamina), Bristol, Suer, did return to chapel, or Mr. Smith's house, is not positive which, at about four o'clock; knows it, because his father told him so; they did see Mr. Smith; he said Mr. Smith had sent to call them; says, he did not see his father till Monday morning, but that evening he saw Manuel (at Chateau Margo), who told him that Bristol had informed him Mr. Smith said it would be better to put it off till he could get the paper he was to read; says, Paris proposed to take the fort, but none would agree to that; says, the intention of confining the white people in the stocks was to prevent their sending news to town; says, he left Success to go up the coast on Tuesday, to carry the paper up for the white people to sign that they had been all well treated.

After reading part of the instructions from the Society in London to Parson Smith, Jack was asked if he thought Parson Smith had acted according to them? he said no, not in all respects; denies ever taking an oath in this business; says Joseph and Bristol were the first he heard mention about taking the bridges up, but cannot recollect which: cannot tell whether the plan of signing the papers came from Bristol or the manager of La Bonne Intention; never sent any message to Mr. Smith after the battle; says, he was present with Paris, Jack and others when his father told them Mr. Smith had sent to tell him he wanted to see him; that was on Wednesday night, and he, Quamina, accordingly left them at the back of Success; the next morning, Thursday, he did not explain what passed; left his father at the back of Mon Repos, and left with him, Jack of La Bonne Intention, David of Grovenstine's, they had guns, powder and slugs; Primo and Quaco had cutlasses.

Mr. *Arrindell's* Statement; 15th September 1823.

I stated to Telemachus that I was one of the party who had found his Bible; that there were several leaves in it turned down, and inquired of him what they were turned down for; he said they were the places Parson Smith used to read to them. I then asked who had turned the leaves down; he answered Parson Smith. I then told him that upon the pages so marked or turned down, there were sometimes one, sometimes two chapters, and asked if I carried the Bible to him, whether he would show me the chapters he used to read or the chapters Parson Smith turned down; he said he would.

I communicated the above to Captain Albony; I also told Mr. Edmonstone that Telemachus had promised to show me the chapters if I carried the Bible, and offered to be sworn, and requested that some one should accompany me. Mr. Edmonstone, in the hearing of Mr. Padmore, said that Mr. Padmore would be sufficient.

Declaration of Mr. *Macheson*, overseer; resides on Plantation Success; 17th September 1823.

Says, on Monday the 18th I came from the field about four o'clock in the afternoon, and went into my room. One of the house boys came and told my fellow overseer that the manager wanted him; he went: I went shortly after him; saw him and the manager going over to the coopers logie; the manager had a rope in his hand; I was with him, and took hold of Jack; he ordered me to tie his hands on his back, and take him to Captain McTurk; his hands were tied, and we were about three quarters of a mile from the building when three of the boatmen met us; Jack said he would not go any further; two of the boat people, Frank and Windsor, cut the rope and released him, and I observed the negro Bephney coming towards us with a cutlass in his hand; he came to me and struck me across the shoulders; I ran away, he followed and attempted to strike me a second time, but was kept back by the negro Tom. I went to Le Resouvenir side line, then Dick from Success met me with a cutlass; those I left behind me called out to chop me; Jack called out, No, let him go, or take him back; then he let me go. I observed shortly after Richard of Success, and I turned back, and they then carried me to the sick-house; they kept me standing there nearly a quarter of an hour; they then carried me to the manager's house; the negroes were all about the door. The negro Jessamy appeared to be very active to get at us; Jack and Quamina were in the gallery keeping them down. I was dragged down stairs, but I don't know by whom; Richard of Success, and Jim of Le Resouvenir, carried me to the stocks up stairs; they carried me back to the dwelling-house. The negro Angus gave me a blow in the face, which knocked me down; Richard gave me a second, and knocked me down; they then locked us all up in the dwelling-house, where we were about an hour and a half. We then observed the troops; we broke through the gallery; we desired Captain Simpson not to fire, as they, the negroes, were all armed; we all went away with Captain Simpson;

the negroes followed and fired at us. The negro Jasmine took hold of me and carried me to the stocks; I got several strokes from cutlasses from the people with me, and I remained in the stocks till three o'clock the next morning, when I was released. Monday morning I asked driver Joe how he liked Parson Smith; he said he liked him very well; he asked me what was that that came good for them in the papers; I said I did not know what he meant; he said, "You are like the rest of the white people, you won't tell any thing that's good for us." I said I saw the papers every day, but never saw any thing about them. "What would you say if a white man told me freedom had come for us, who has the paper in his possession?" I desired him to tell me his name, and give me the paper to-morrow, "and I'll give you two joes;" then, says he, "I'll tell you more in the morning."

Examination of *Tom Gibson* belonging to John Reed; 16th September 1823.

Says, on Sunday, after coming from chapel, I saw a number of people coming across from the Success, and they divided themselves into two parties in the Middle Road. I followed to see what they were going after: when I got there, I heard them saying, there was some liberty come for them, but was not made known to them; this is what I heard Jack and his father say. Jack and his father said, as that was the case, all the people were to put down their tools, and stop on their own plantation, and when their masters and managers came to inquire the reason, they would tell them what they had to say; then I went home about seven o'clock, when I got home, I saw a parcel of strange people as well as our own, and I went to my house, and then again returned to the yard, and I found they had all gone to Jimmy's house, and collected there; then I saw Austin of the Cove with a Bible in his hand; he laid his hand on it and said, "I live by Christ, and die by Christ;" all the people there did the same thing; he was reading the Bible before I got there, and I took the oath also; the nature of this oath was, that they were all to stay on the estate. Betwixt nine and ten o'clock on Monday night, Prince ran out and said, "Every man on the estate on the front dam," for he had seen a number of white persons on the front road; then Quamina said, "don't move a foot." I do not know how many went, but I know that Ireland and Prince went; Quamina and myself did not go. Tuesday morning, Sloan ordered us all out, and told the sick nurse to bring the keys of the stocks. She said, the white people had got them. He said, there were men in the negro-house, and he must have them out, or he would blow their brains out. She told him there were no men there, he was at liberty to come in and search. By this time I turned round to my house, and when I found Sloan was coming, I got out of the house, got into the yard. I went round the great house, saw Mrs. Waldron at the window; she asked me for my master; I told her I did not know where he was, I would go and seek; this was about six o'clock in the morning. Before this I had heard three shots; I was told then by some of the people, they had put my master in the stocks. "By God," says I, "let us all go and have him out of the stocks, for he is a white person;" as I said so, Sloan seized me; the rest of the people came up and said, "Cut off his head," this, Caple in particular said, and my son came up, and then they carried me, and locked me up in the logie, about five o'clock in the afternoon, some of the people talked to them, and I was let out, I then went to my house. Tuesday evening, Prince told me that every man was to be out at five o'clock in the morning, or he would have their heads off, to go down to Bachelors Adventure, and then he and four or five men took the yard, and searched for all the men, then I went with them. I heard Telemachus say, "We must do one thing or the other," says I, "You have heard what Colonel Leahy has said, you had better lay down your arms, and go to your estates, as the Colonel has given his word you shall have justice;" they then said, they did not care any thing about it. The members of the church were all the head people in this business.

To a question, What do you mean by members of the church?—Says, the deacons and members.

Examination of *Hay*, of Success; 16th September 1823.

Do you know a negro named Gilles?—Yes.

Were you on the west coast about fourteen days before the revolt?—Yes; I have a son working with Mr. Grant the mason, and I asked the manager for a pass to go to see him; I went over the river and met Gilles on the road; I asked him to go back with me, he said, "No, I have a call on the other side, and must go; come, go back with me and I can tell you all about your son; I saw him only two weeks ago, and he is now gone to Waakenham." I turned back with Gilles, and we went towards Success together. On the road he told me that he was going in consequence of a message he got from Jack Ward, (a black butcher in town, formerly belonging to Mr. Ward,) that a friend wanted to see him, and that friend was Quamina; Gilles asked me if I could tell what Quamina wanted; I said, "I did not know, but that he had given me the same message to tell him that, if I happened to meet him; he, Quamina, wished to see him." When we reached Cuming's Lodge Gilles left me, and I went on to Success; this was on a Saturday; I saw Gilles at the chapel next day at Le Resouvenir. On Sunday after chapel, Quamina told me, after Gilles had gone away, that it was all settled between him and Gilles, that he was to do what he could to get the estates on the west coast to join; this conversation I repeated to Jack next day in the cooper's shop.

Enclosures in N° 7, Examinations, &c.

Evidence of *Jack*, of Success; 17th September 1823.

Jack says, Quamina, on his return from Parson Smith's on the Wednesday, said, that the parson observed, as they had begun with it they must go on with it. Jack says, Parson Smith's servants, Charlotte and Cooper, must know that Quamina was there on the Wednesday after the revolt.

Jack did not speak for an hour after hearing of Quamina's death

Examination of *Romeo*, belonging to Le Resouvenir; 17th September 1823.

Mr. Post had me baptized; I am first deacon, but am now sickly and not considered as one. I can read a little. I was at chapel the Sunday before the insurrection, but did not take the sacrament that day. I sweep the chapel; but Mr. Smith does not take much notice of me. I heard newspapers had come out; the King had sent a good thing for us; all the negroes said so. We were to have Saturday. I admit that I explain the sermons to the negroes when they don't understand them, after service.

Nineteenth chapter, 41st, 42d, 43d verses of Luke, the text was taken from the Sunday previous to the war. The sum paid for the sacrament is two bits, but I never pay. Sometimes I throw up for the missionary to send home.

Confrontation of the foregoing Evidence with *Brandon* of the Hope.

Brandon says, that two weeks before this Romeo said as follows:—

"Unless the negroes take the opportunity of now getting their rights, they will for ever be trampled upon, they and their sons, and their sons' sons."

This Brandon deposed before to Captain Playter; and now again, in the face of Romeo, says it is true; and calls God to witness.

Romeo denies he ever said any such thing.

Examination of *Goodluck*, belonging to Peter M'Clure; 17th September 1823.

My father, Quamina, told me we were to have three days, and he asked me if I had heard it in town; I told him no; he asked me how he could hear in the country, and I not hear it in town; he said he had heard something of it from Daniel. Jack told me that they intended to rise on Monday, and I must get all the people I could in town to help. I was at Chateau Margo when Jack and Bristol were talking of this thing. Jack told Quamina, and Seaton was there, that he went round the fort to see how the guns lay.

This man was interrogated for a considerable time; he denies flatly all that Jack has said respecting him.

Examination of *Azor*, of Le Resouvenir; 17th September 1823.

I attend church, but am not a deacon. I was at church on Sunday; did not take the sacrament that Sunday; I forget the text. After morning service, I heard Quamina talk about this business, but I would not join them; I said, that if Mr. Hamilton had told them about it, they had better go and ask their master. Monday, one o'clock, two men came from Mahaica side; they talked about this freedom story, but did not know. Monday evening I was at home, and remained there all night, and never left it. Mr. Hamilton's wife told Jack about this story, that the negroes were to be free; this was on Sunday. I cannot read, but I am a teacher.

Examination of *Active*, of Success; 17th September 1823.

Says, I was with Jack when we called on Daniel, and we walked round by the fort, and got some water to drink; there were four of us. Prince and Quashy went to town. Jack said Daniel called him. I know Goodluck, son to Quamina; (read to him that Goodluck had said they went to the fort to examine it.) Jack never told me any thing about the fort; went to Daniel's house. Jack and Daniel consulted down below, and then came up stairs; Jack took a Bible, and they began to read chapters. After we left, we went to market; then Jack went back to Daniel, and left me in town. I deny hearing any conversation between Jack and Daniel.

Examination of *Susanna*, Mr. Hamilton's Girl; 18th September 1823.

Says, Mr. Hamilton said, when I was speaking to him about myself and children, that to buy me would only be to throw away my money, as we should all be free soon. Mr. Van Ness and another person were with Mr. Hamilton the Sunday before the insurrection; was in chapel in the forenoon, did not see Mr. Hamilton there. Before church, Jack sent to call me, and then asked me about this thing. The negroes Shute and Sundag told me, Mr. Hamilton was too severe to them, and they were determined not to work; this was two or three weeks before they rose. Jack said, "I am going to Mr. Smith, I have some business very particular with him;" for the parson was afraid of him. Mr. Hamilton said, that the creoles born after a certain time would be free, that was the Governor's order, and that the mothers must be taken care of. I admit I told Jack that I wished the negroes were not going to "set down" before Mr. Hamilton had time to sell his stock; I told Jack,

if

Enclosures in N° 7, Examinations, &c.

if he did not believe me about the creoles being to be free, he had better go to Mr. Hamilton, who would tell him better. Jack did come that Sunday to see Mr. Hamilton, but I did not deliver the message he gave me to him. After church I went to the great house and did not see him again.

On the question being asked, if the negroes ever made presents to the parson?—Yes, now and then. Jack told me he did not care whether I told him or not of this freedom. "You need not hide it, for Mr. Manson of Chateau Margo has told me plenty of it;" and he said this in the presence of Seaton, in my house after breakfast on that Sunday.

Examination of *Susanna*, 19th September 1823.

Did you not inform Mr. Hamilton of the negroes not intending to work any more?—Yes, about three weeks before the revolt began; he told me he did not care, he had no plantation; he said the news had come out from England, that the negroes were to be free; but as the Governor had estates here, he and all the great men had thrown up money to try to stop it. About two weeks before the revolt, he said, he was sorry (told me so) the negroes were going to rise so soon, as he would not have time to sell his things. I was in the great house when Jack called.

Had you any knowledge of the negroes intending to rise on Monday the 18th August?—Yes; it was communicated to me by Jack, in the great house of Le Resouvenir, on Sunday, 17th August, before chapel.

Did you tell Mr. Hamilton of the intended revolt, and when; state where and the precise hour?—I did, on Monday morning early, just before day-light, in the bed chamber where myself and Mr. Hamilton slept.

State what passed between yourself and Mr. Hamilton after this communication?—He said he did not care anything about it.

Where did Mr. Hamilton sleep on Monday night, the night of the rising?—I don't know, but he did not sleep on the estate Le Resouvenir.

Was that all he said?—Yes; nothing more. Mr. Hamilton told me he wished the negroes would wait till the coffee pick, because he would then have time to sell his things better.

Examination of *Susanna*; 20th September 1823.

I gave Edward a message to Jack, to say that the negroes must not rise on the Monday; that they must wait until the coffee pick time, to give Mr. Hamilton time to sell all his things: this was the message I sent to him on Monday morning, the day of revolt. Sundag told me, some weeks before the revolt took place, that the negroes had said they were not going to work any more; he said that Jack told him of this. I told Mr. Hamilton, two or three weeks before the revolt took place, what I had heard, but did not mention who told me. Mr. Hamilton asked me who were to be the head men in the business; but I told him I did not know.

Examination of *Susanna*; 22d September 1823.

Says, Mr. Hamilton told me the Governor had estates himself, and that was the reason he would not give them freedom; that if he had not an estate he would give it; or if one King would buy all the gentlemen's estates, then they would get their freedom; and I told this to Jack; Jack said, "Very well, no occasion to tell me, I know it already." Mr. Hamilton said it must be a clever man that took charge of this business, and if he would come to him he would put him in the way; and I told this to Jack in my house; this was on Sunday before the rising, after the manager's breakfast. Jack replied, "I know all already about it;" and on Monday he would make all us women afraid. I do not know whether any messages were sent by Jack to Mr. Hamilton, or from Mr. Hamilton to Jack; I deny that I ever told Edward to carry any messages to Jack; nor do I know he was ever sent by Mr. Hamilton. I now recollect I gave Edward a message on Monday morning to carry to Jack; that Mr. Hamilton was sorry the negroes were beginning to rise so soon, as he would not have time to sell his things. I confirm the second message I sent to Jack by Edward, as mentioned by Edward before the court-martial. I deny the third message respecting the arms. I deny the fourth question in all respects.

Bristol re-examined in presence of Goodluck; 18th September 1823.

Read that part of Bristol's evidence taken on the 14th instant, which relates to Goodluck; and Bristol declares it is true, and further says, "you know Goodluck the conversation was in my house, and I advised you to drop this thing; and then you said to Jack, who was there, you hear that coward Bristol advising to stop the business: what am I to do with all the people I have spoken to in Essequibo?"

Goodluck denies it positively.

Bristol, addressing himself to Goodluck, "I would on no account tell a lie on you, for your mother was very good to me."

To a question to Goodluck, he replied, "Bristol, Jack, myself, Seaton and Quamina, were in the middle walk of Success, when Jack said he had been round the fort, and said there were too many guns there."

Bristol cannot recollect the guns being talked about.

Enclosures in N° 7, Examinations, &c.

Examination of *Cornelius*, Mulatto, of Bachelors Adventure; 18th September 1823.

Sunday afternoon Joseph called all those who were baptized into his house, where they keep meeting, and made them swear they would not tell the white people what he, Joseph, was going to tell them; this I saw. After they had sworn on the Bible, they asked, "what have you to tell us?" he said, "I understand freedom has come for the slaves, and you must all go and set down and be quiet;" then, Monday afternoon, Sandy, of Non-Pareil, came, and he took all the people from Baehelors Adventure and Enterprise to Non-Pareil, and put the overseer in the stocks, and took away the gun. Prince opened the Bible, and told them all to put their hands upon it and say, So long as you live, you must not tell any of the white people that freedom has come out for the slaves; and I saw Paris, but did not hear him. I was engaged to be baptized, which was the reason I was permitted to take the oath. When I was mending the bridge, Lieutenant Brady came, and a boy told him I was the man that shot the bugler, I told him I did not shoot the bugler; told him who it was who shot him, and they brought me down a witness.

Telemachus, Peter, Seaton, Jack, Prince and Joseph, were the principal people in prevailing on the people not to lay down their arms; they said they would fight till they were free. Cannot say who began to pull the bridges down. I know nothing more.

Examination of *Joe*, of Success; 18th September 1823.

I am a member of Parson Smith's chapel; Quamina I first heard this thing from, about three months before it began; it was the common talk. I acknowledge I conversed with Mr. Macheson, I asked him if he had read any thing in the papers about freedom; he said No; I replied the people were talking about, and they said that some of the white people said it was so, this was the forenoon of Monday; it was spoken in the church by Jack, that Mr. Hamilton intended to take home his wife and child, as they would be all free; Jack went after service to Mr. Hamilton; I asked him what he had heard again, Jack said, he, Mr. Hamilton, had told him it was so; the people were to be free, and he wanted to get some sensible people that could talk well and boldly, to go to the white people and ask them for it; he never said they intended to fight. The words Parson Smith read were in substance, "The Lord Jesus sent his disciple to take away a colt from a certain man's house, and he rode on it to Jerusalem, and when he beheld the city he wept over it;" this was on the Sunday before it broke out. About five o'clock in the evening I was in the field, the people were working very well all day, but talking very much about freedom; this was the women gang. I heard Jack and Quamina were tied by the manager; I saw the driver Richard, and asked him why he let the men gang go so soon, he said they had received a message already; when I got home I found the gang surrounding the house. I was the man who told the thing to Mr. Macheson, which was the reason of Jack and Quamina being tied. I asked them what they were doing, and Prince came out and threatened to kill me; I then went to free Mary's house. I am Quamina's brother by mother, and we did not agree as to the freedom; I did not believe it, because I knew if the King had given us freedom the Governor would never keep it from us, and therefore they would not have any thing to do with me, as I thought differently from them; our treatment has been very good, no cause of complaint whatever. Richard took away his wife, Anna of Success, when the war began, and went into the Bush; I am older than Quamina; I did not see Mr. Hamilton in church that day. Mr. M'Turk saw me and sent over for me by the soldiers; I was afterwards released.

Declaration of *Susanna*, Hamilton's Girl; 19th September 1823.

Says, that she informed Mr. Hamilton about three weeks ago, that the negroes did not intend to work any longer; in answer he said, he did not care, as he had no plantation. Mr. Hamilton told her that they were all free already, the King having sent it out; but that the planters made a large subscription to keep it back, and that he was very sorry they intended to revolt so soon, in consequence of which he would not be able to sell his property; but if they would wait till coffee pick, it would answer him and them much better; he told her that the revolt must be conducted by sensible negroes, otherwise they would not succeed; and that the Governor had estates of his own, which he wished to sell before he would give publicity to the King's order for freedom. It was a negro named Sundag belonging to Le Resouvenir, who first told her of it, and who was the principal ringleader on the estate. Jack came to her on Sunday at her own house, Mr. Hamilton, Mr. Van Ness, and another gentleman were in the large house; Jack told her to ask Mr. Hamilton what was to be done, and that the revolt was to take place on the following evening (Monday), she told this to Mr. Hamilton on Sunday evening, and he answered, that he should wish to see some of the sensible men who were to conduct it.

Declaration of *Susanna*; 20th September 1823.

That about fourteen or twenty days prior to the revolt, Jack sent to her for some paper by Edward, who informed her that Jack wished him to write letters; that she sent the paper, but was not informed upon what subject Jack wished the letters to be written; that on Monday (the morning of the revolt) she sent Edward to Jack with a message, that the negroes had better not rise that day, but wait till coffee pick, by which time Mr. Hamilton

Enclosures in
N° 7,
Examinations, &c.

would be able to finally arrange as to the sale of his effects; but on the contrary if it were determined to rise that day, they must not upon any account injure any of the white people; that when Edward returned the same day, he brought for answer from Jack, that he could not wait any longer.

Examination of *Henry Midewake*, of Le Resouvenir; 19th September 1823.

Says, I can read and write, but not very well. I did write a letter for Jack, one to Joe Simpson; and one to Jacky Reed, which I understand he did not receive, and I wrote him another. The letter to Joe Simpson was written about five weeks ago, as near as I can recollect: it was to ask him if the thing he heard about freedom was true, and if he thought it was proper to do it at this time, meaning to rise; the next was to Jacky Reed, to ask him to let him know about it, and to encourage the people that side: me and Edward wrote it together. Joe Simpson sent an answer, and I read it to Jack: it was to tell him to wait for a week or so: that there was a new Governor coming out, and then they should hear more about it. They began this thing about a week after these letters were written. I heard the people talking amongst themselves, saying, they had worked enough; that they must have three days, and if they could not get it they must do something else; but their particular words they never let me hear. I did not know I was doing any harm; and when I went home and told my mother what I had been doing, she was frightened, and would not let me go back. I believe I am about twelve years old. I was under Quamina by way of employment. My mother's name is Hannah Vanderhaas, coloured woman.

Declaration of *John Christian*, Lusignan, Overseer and Cooper; 19th September 1823.

On Monday evening, as we had lit the lamps in the boiling-house, the manager came to me and told me the negroes were to rise that night; he told me I must go down to Mr. Cort to get a musket; after I got a musket, and sitting up about an hour, I went to bed: the manager hung his hammock in the hall, he placed a long bench across the door, in course of the night, a noise was heard in the negro-yard, the manager went down to see what it was, in the mean time one of the overseers called me and told me it was begun already; we remained in the gallery until the manager returned; when he came in he put a long bench across the stairs, in the course of two minutes after, a large crowd of negroes came up the yard, some of the party broke open the sick-house and stocks, and the rest of them made for the manager's house, making a great noise; they rushed as far as the stairs, (the first landing) where we kept them off with our bayonets; the manager asked them what they wanted; they said, nothing but arms. In a few minutes after, a negro-man named Sammy, came up the yard and desired the negroes to make way for him; I called to him and asked him what he wanted, and then presented and snapped my gun at him, but it did not go off; directly after which, one of the young men fired his gun, and two or three fell, which cleared part of the yard, and some of them went under the gallery; then the manager said, let one man come forward and say what they want, and he called Sammy by name; he came, and said they wanted nothing but our guns, he said, "If we give you our guns will you hurt us;" he said, "No," then the manager said, "Will you send us to town," he said, he would, he would guard him safe to town; the manager gave him his gun on those conditions, and the rest did the same. Sammy was for telling us to go into the house, but others said, we must go into the stocks. The manager asked liberty to dress the wounds of the negroes that were shot, they let him go, and the overseers went into the sick-house. They wanted to put us all into the stocks, but I said, I would not go until the manager came, when we would all go together; and when the manager came, we were all put into the stocks together; two watchmen were placed over us, and the next morning as we were at breakfast, the soldiers came and released us; the negro Cudjo locked the stocks belonging to this estate.

Examination of *Primo*, of Chateau Margo, caught by the Indians, 22d September 1823.

Sunday, Jack told me the King had sent a good thing for us; that Mr. Hamilton had told him, Jack, so. I said, "I can't join you;" I said, "What are we to do when we take the country;" and I asked him if he was to be head man; he told me to go away. I asked him who told him. He, Jack, told me he was going to Mr. Hamilton; he went to Susanna, to say he wanted to see Mr. Hamilton; this was about eleven o'clock, before church. I went home to the plantation, telling him, "all is left to you, you know where you got this paper about freedom." Jack told all the people they must go to the middle walk of Success after church. I went to church; in the afternoon, after church, about five o'clock, Quamina told Jack, "You must wait till this month is gone." Jack said, "You are an old fool; the thing the people have got, you won't let them have." This was in the middle walk of Success. I left them there and went home. After church was over, Jack came and brought all the story. Jack said they must all go on with rising: some agreed, others did not; this was between five and six o'clock in the evening. Jack told us we must put the white people in the stocks, and he had given that direction to every estate. On Monday night, after hearing the firing, Jack brought all his people into our estate. Jack asked us if we had not caught the manager yet; when he was put in the stocks, I cleaned his feet from the mud, (he had been dragged through the mud,) and then I and Peter remained at the punt all night. Tuesday morning I was walking all about, I went to the cane-piece watchman, and slept there Tuesday night, where I remained till Saturday Friday,

Enclosures in
No 7,
Examinations, &c.

Mr. Edmonstone came to call us to make peace; this was at Success Buildings; the driver Quaw sent a boy, Wolf, to hoist the flag. Mr. Cuming sent to Quaw to know what they hoisted the flag for; and he sent word, to make peace, and Mr. Cuming said he was glad to hear it. My master and Colonel Leahy said they wanted to see us Saturday morning, and at eight o'clock in that morning, they came and spoke to us; told us, all must come home, they would not trouble any body; and every body went home. Saturday afternoon, when I went for my blanket, Jack of Success came after me and told me I had better go into the Bush with him, that we would be all killed if we went home; and I went with him that night, being frightened.

Quamina, Primo, Quaco, Jack (La bonne Intention,) David, Cudjo (M'Turk's,) and Jack (Success,) went into the Bush.

Quamina had a bundle, Jack of La Bonne Intention, and Dr. M'Turk's negro were the only two that had guns; I had a cutlass. Quamina told us he wanted to go to Mahaica Creek, Laburry Branch; Joseph of Bachelors Adventure, said he knew where the Bush camp was, and he would carry Quamina to it, but he did not. I am a member of the chapel; I remained in the Bush till Tuesday of the following week, when I was caught by the Indians. I saw Quamina shot; the Buck called to him to stop, but he would not; when we went into the Bush Quamina had no gun, only a bundle; M'Turk's man had a gun, and Jack had a gun, and no others. I am learning to read; paid six bits for my spelling book; I never recollect Parson Smith giving away Bibles, but he sold them; the people always got plenty to eat; got clothing the beginning of this year, and were always taken care of when sick. Jack of Success carried the girl Grace for his wife; Quamina lamented in the Bush he had done such a foolish thing.

Examination of *Quaco*, of Chateau Margo, a Boatman; 22d September 1823.

Monday night was the first time I heard of this business, when Success Jack came on our estate, and brought a great many people with him, and asked what we were about that we had not taken up the white people; he said if we did not catch the white people he would lick us all with the cutlass; we put them in the stocks that same night; he left the estate, and went up to Mahaica side; I went with him as far as Mon Repos, and then came back and stopped home; next day all the gang went to the back dam; Cabinna was the man who knocked the overseer down, and then he went to the great house; he was taken and tied, but he got away; I stopped in the back two days; after that Mr. Cuming told us to come home, and make peace; I met Quamina and Jack, Saturday, and they told me to go with them, because they understood the white people were going to kill every one; and they would carry me to a place where they could not catch me to kill me; after they told me so, I was frightened and went with them.

Quamina, Primo, Jack, David, Cudjo, self (Quaco) and Success Jack, went into the Bush.

We went far into the Bush, but could not get any thing to eat, and then turned back; when I saw the Bucks I could not move, and Dr. M'Turk took me; I had been fishing; the Buck called out to Quamina to stop five or six times, but he would not, and he was shot; I was at Mon Repos the night they were fighting; I saw the boy Sammy shot, and two boys, Adam and Anderson, shot; and I was frightened and came away. Master always treated us well; no fault to find; treated me well when I was sick.

Examination of *Jacky Reed*; 22d September 1823.

Says, he never recollects hearing that Parson Smith was in the habit of giving away Bibles to the people. He recollects, on one occasion, that he sold one which had been used for half price. Says, he supposes the collection of ten stivers a month, paid by the members of the chapel, was for the missionary society; that the ten stivers paid by the communicants was for the bread and wine, and that the collections made on holidays he does not know for whom it was.

Deposition of *Thomas Mitchell*, Overseer on Lusignan; 23d September 1823.

On Monday night it was my watch in the boiling-house; the negroes got into the yard before I left the boiling-house, about ten o'clock; I had nothing to defend myself with, and when I got into the manager's house, the negroes came in and got all the arms, and put all the whites in the stocks; the negro man, Cudjo, laid hold of me by the arm, and I went; he brought me into the sick-house; we were put in the stocks; the negro, Cudjo, locked the stocks belonging to Lusignan; Joseph, belonging to Lusignan, kept watch over us all night; the manager, Mr. Christian, Mr. M'Lean, Mr. Todd, were in the stocks at the same time, we were let out in the morning by the negroes of the estate. I declare I know nothing more.

Examination of *Dumfries*, of Success; 24th September 1823.

Quamina and Jack desired me to go to Plantation Rome, to speak to some negroes there; they told me to ask them if they heard freedom was come, and to tell them the negroes on the coast were all going to make war with the white men; and if they would not help them they must not help the white people. Smart went with me, because he knew some of the people, to point them out, and I mentioned this business to Quashy and Quamine (their country names); they told me there were two people there, belonging to another

estate

Enclosures in N° 7, Examinations, &c.

estate, who knew where the Bush negroes were; and the man Quashy said, he would get them to send for them to help; they did not promise any thing about the Plantation negroes joining; this was on a Sunday about two or three weeks before the rising. I left the estate then, and never saw it again, nor heard from them.

Examination of *Smart*, of Success; 24th September 1823.

Says, Jack sent Dumfries to go to Rome, and he said he did not know the place, and Jack sent me to show him. The message Dumfries had, was, to ask the Rome people if they had heard any thing about the freedom. When we got there, Dumfries asked Quashy if he had heard the story on the coast; he said, no, what was it? Dumfries said, the King had sent freedom, but the white people would not give it; and Quashy said, if they heard that story was true, he would send Bush negroes to help; after that talk I went away, and never went back; Jack desired me to go back the Sunday before the war, but I did not go.

Examination of *Laurence*, alias *Quashy*, of Plantation Rome; 24th September 1823.

Dumfries came to Rome about four weeks before the war, he said to me and Morris, that he came to ask the Rome people to make war, and we must tell it to all the Plantation negroes. I told him, "If you want to make war, you had better go to Peter's-hall, for there are two men there that know where the Bush negroes are," and Dumfries then ate with us and went away; after he went away, Morris told me this was a bad story, and I must not tell it to any body; and I never did. The names of the two negroes on Plantation Peter's-hall that know where the Bush negroes are, are Fuar and Namitta, both Papa negroes.

Examination of *Morris*, alias *Quamine*; 24th September 1823.

Says, about one week before this trouble came, Dumfries came to his house, and Smart was with him; Dumfries asked him if he had heard the story about the Courabana people wanting to have three days, or freedom; "they say the King has sent it, but the white people won't give it, and they want to try for it;" and he told him to ask the Rome people to help them; he, Morris, told him, the Rome people were all scattered about, being Sunday, but he said he would tell them by and by; then they, Dumfries and Smart, went away; then after they were gone, he, Morris, told Laurence that he must keep that story in his heart, and not tell any body; he said it was a bad thing, and their people were treated well and had nothing to trouble them; and he Quashy, alias Laurence, promised never to tell it. Morris never told it to any one, except to an old man named Anthony, on the same Sunday night, and he asked why he had not told him sooner, as he would have known what to do to catch them; that the negroes there had no business with it, and were well treated and not to mention it.

Statement of the Negro Woman *Charlotte*, Servant of Mr. Smith; 26th September 1823.

States, that when Mr. Edye came to Le Resouvenir to occupy Mr. Smith's house, he desired her to clear it away. She took out of it, and carried to her own room in the same building with the horse-stable the following articles:

- A trunk, in which she put the clothes that she had washing for Mr. and Mrs. Smith.
- A book, (she thinks the one produced there is the same.)
- Three larger packalls and a smaller one: she sent one to Mrs. Smith with some clothes, and afterwards another with ditto. Mrs. Smith took out the clothes of one, and sent it back again. The packalls that were left contained fine clothes.
- A large wooden box, locked: she heard money rattle in it.
- A box with some bottles of philarnum in it. One of the packalls (the smallest) had Mr. Smith's watch, a tooth-brush, and a comb in it.
- Four tea-canisters, all full.

She picked up some loose papers that were lying on the sofa, and put them in her own trunk. She had a small pistol in her room, which she took from Thomas Cuming, a white man who lives at Chateau Margo, who cohabits with her (her husband), and he came one night, (the week before she was taken up), about two weeks ago, and stood up on the canal dam of Le Resouvenir, and sent a message to her. When she went out to meet him, she found him quite tipsy, and took away the pistol from him, she took away his hat and shoes, and left him lying on the dam, put a boy (Gift) to watch him until he got sober; when he got sober, he went to Chateau Margo; the hat and shoes were in her room, and the pistol, when she came away from Le Resouvenir. Declares she is now pregnant by Thomas Cuming; Mr. and Mrs. Smith must have seen that she was with child, but never asked her who was the father; they never find fault when she does any thing wrong, but look sour and vexed, and she then tries to please them. Charlotte belongs to Miss Rose Stewart of Northbrook, and has lived in Mr. Smith's family since four months before Christmas last. Recollects now that she took out of Mr. Smith's house a bottle full of shot, and another bottle with a small quantity in it. Heard two shots fired from Mr. Hamilton's house on Monday evening at six o'clock; the negroes immediately after collected on the Droghery; saw no negroes before the time the shots were fired, but they appeared immediately after, and called out, "Come, go down to Mr. Hamilton's house." Mr. Smith was walking with Mrs. Smith in the Middle Walk, coming towards his own house; Charlotte heard Mr. Hamilton call out from the window of his house to Mr. Smith, "Mr. Smith! Mr. Smith! come here Mr. Smith!" and Mr. and Mrs. Smith went;

Enclosures in N° 7, Examinations, &c.

Mrs. Smith afterwards came to her own house, and told Charlotte to go and call Mr. Smith, but she refused to go, being afraid; the man Cooper went to call him, but returned without him, and said that Mr. Smith would not come. Does not know when he returned, but when she was called to get the bed-room candlesticks she found Mr. Smith in the house, with the two overseers of the plantation. She watched through the jalousies, and saw the negroes go towards Mr. Hamilton's house; they were not armed at the time; she heard the negroes halloo for the guns. Before the insurrection broke out, she used to see Quamina of Success, and others, come to Mr. Smith's house and sit down on the benches in the school room; Mr. Smith used to sit down with them and talk to them. There is a room up stairs, called the study, and Quamina and others, Seaton, and Bristol, &c. used to go up stairs with Mr. Smith; the door was always shut on these occasions; they remained closeted in the study sometimes for an hour. Saw Quamina come into the house after service was over on Sunday 17th August, and he spoke with Mr. Smith in the school-room, but they did not go up stairs to the study that day: the last time that she saw Quamina and Mr. Smith go into the study was on Sunday week previous to the insurrection. Quamina was accompanied by Seaton, Bristol, and another whom she does not know. Charlotte recollects that one day Mr. Cort and Mr. Stuart (of Success) came to Mr. Smith before breakfast; they waited until eleven o'clock, and conversed with him. Mr. Smith ate breakfast after they went away. Quamina came some day of the week after (not on a Sunday,) at about eight o'clock at night. Don't know what passed between them that night, but they did not go into the study, only into the school-room. Mr. Smith flogged Cooper once very much with a horse-whip for impudence to Mrs. Smith.

Statement of *Samuel Parker*, white man, Overseer on Plantation Le Resouvenir; 27th September 1823.

The first intimation I had of the intended rising of the negroes was from Mr. Hamilton at dinner table on Monday, 18th August, about five or half-past five o'clock. Mr. Gun, my fellow overseer, was present. Mr. Hamilton told us that he had heard on his way from town (where he had been that morning) from some of the cavalry, I think, that some letter to Jack of Success had been found, intimating that the negroes were to rise that night. Mr. Hamilton said, "I don't know how they will begin to it, however, I have been putting arms in order, and we will be ready for them." I knew that this was the case, as I had heard the report of the fire-arms when he was trying them; I was shifting myself at the time I heard the reports; they took place before dinner. I said to Mr. Hamilton I think it is absolutely necessary that we should each have a firelock in our chambers, with a competency of ammunition, he said, "No, I think in case of any thing happening, we had better sling our hammocks in the hall of the dwelling-house;" he said, "I don't care much, as I don't think the thing will occur, but I would rather that you did come over and sling your hammocks here;" myself and fellow overseer agreed to do so. About an hour after we left table I was walking on the Droghery, and Mr. Gun was shutting the logie when I heard a great noise, and glanced my eye towards a bridge that leads to the manager's house, where I saw a great body of negroes armed, and the arms gleamed in the evening light. I called out to Mr. Gun, there they come, we had better go to the manager's house and take to our arms; I went over, and Mr. Gun followed me; the negroes were close at our heels; we gained the manager's gallery, whom we found standing there. I asked him for our arms, saying, there they come, he said, "Go quick up to my chamber, you will find the arms there, and ammunition." I went up immediately, and snatched up a musket; Mr. Gun followed and did the same; Mr. Hamilton followed and did so likewise; I said to him, is this musket loaded, can I depend my life on it; he said it was loaded, or else, he said, he had ordered it to be so, I don't know which, but I opened the pan and found it was not primed; I went to the ammunition box and primed it immediately. At this time Mr. Hamilton was fastening the door; we cocked our pieces and were ready to fire; that is, myself and Mr. Gun; I asked Mr. Hamilton if I should fire, and he said to be cautious, not to fire, and he would speak to them, he called out from the inside, to the negroes to go on the outside of the house and he would speak to them, as they had no business there; they answered they would not, they wanted the arms; he said he would not give them but with his life; the boy Dose called out to us to give them the arms, or else the negroes would take our lives; we replied, No; the first man that would come forward we would blow his brains out. The door was then forced open by the negroes, the negroes Carel and Hill came forward and demanded my arms; I told them to stand off, that I would not make fun with them, and they did stand off a little; some other negroes that were on the stairs called out seize them, or let them forward, and they would do the business; with that the boy Dose came rushing through the crowd, and said to give up our arms, as there were some negroes coming up that would kill us "clean, clean." During this time we kept them off at the point of the bayonet; however, on glancing my eye round I saw Mr. Hamilton holding his piece at the trail, at the time he was remonstrating with them on the impropriety of their conduct. Whether Mr. Hamilton gave up his musket or not, I cannot say, but I saw them lay hold of him. I omitted to state, that at the time the boy Dose came forward to advise us, I heard Mr. Hamilton say to the negroes to go down stairs, and he would give up the arms, but not otherwise; they refused to go, and said he wanted to make them fools. When I saw Mr. Hamilton's musket out of his hand, I thought resistance was in vain, and I gave up my arms, and so did Mr. Gun, as the negroes rushed in in a crowd, and surrounded us; the negroes then demanded ammunition. Mr. Hamilton said, "Do you want me to be your servant now? you are masters of the place, take it where you can find it;" they went down stairs, and in the interim Mr. Hamilton told the boy Dose to hide the ammunition; we remained

Enclosures in N° 7, Examinations, &c.

remained in the room, and the negroes came up a second time, saying that they knew there were more arms here, and for us to give them out; Mr. Hamilton gave them the same reply as before; after a search of a few minutes they went down stairs; shortly after we went down stairs; we remained in the hall some time, and Mr. Hamilton went to the front of the hall door; he observed Mr. and Mrs. Smith walking on the dam that leads from the Middle Walk to Mrs. Smith's house; he called to Mr. Smith, and Mr. and Mrs Smith came over; he related to them how he had been used, and our arms taken away, Mr. Smith observed, that "in such a case as this it is the only method you could have adopted, for resistance to such a multitude would have been vain, and would only have exasperated them to take your lives." While they were speaking, (Mr. Hamilton and Mr. Smith,) a body of negroes came round to the front of the house to the hall door, in a very tumultuous manner, they brandished their weapons, and demanded with threats the ammunition. Mr. Smith went forward, and spoke to them, saying, "You have done enough already; you have got their arms, and what now do you want?" Mr. Hamilton also remonstrated with them, but the words I could not hear distinctly; the negroes after this went away reluctantly; I cannot say whether they had not any answer, but there were several of them traversing the house, and going up and down stairs while we were in the house, and they might have taken some; I have heard that they did take powder and more arms. Mr. Hamilton asked Mrs. Smith to go up with him to the hall; she said she thought she would be much safer in her own house, and declined; Mr. and Mrs. Smith bade Mr. Hamilton "good night," and went away. After Mr. Smith's departure, Mr. Hamilton met Dose in the hall, and asked him if he had thrown the ammunition into the trench, as he told him? I don't recollect what answer Dose made, Mr. Hamilton by this time ordered his horse to be saddled, and in a few minutes more the negroes came again; I heard Sundag's voice several times; the negroes went to the stable, and took hold of the horses, saddles, &c. Mr. Hamilton went over himself to the crowd, and the driver Toney came and joined him, and prevented the negroes from taking away the horses, by what argument I cannot say; I heard the negroes shout out, "Let us go to Felicity, to M'Turk's place, and they went away; shortly afterwards Mr. Hamilton saddled one of his horses; we advanced to persuade him to stay; he said he wished to go to town, and he rode off; we remained and secreted ourselves about the buildings, until all was pretty quiet; we went once into Mr. Smith's house, but were so coldly received, that we did not like to stay, and came to the resolution of going into the cotton-piece; we did go into the cotton-piece, and staid for a short time; afterwards we came out, and went into the house of Mr. Van Barle; we staid there for a couple of hours, and then went to our own rooms, where we staid for the night. Next morning Susanna told us, that she had got orders from Mr. Hamilton to tell us to arm ourselves with cutlasses, and come down to the water-side house, where he was himself, and take breakfast; we did not breakfast with him, but went to the house, where we saw him; we stopped only a few minutes, and then went and joined Captain M'Turk at Felicity.

Examination of *Dose*, of Le Resouvenir; 27th September 1823.

I was the house boy of Mr Hamilton on that estate; I was on the estate the night the disturbance began; the first news I heard was Mr. Hamilton's firing two pistols from the front door; then Sundag came up from the back and called the people to make haste and come and put Mr. Hamilton in the stocks, and take away the guns, then the two overseers, Mr. Parker and Mr. Gun, ran into the house, and they and Mr. Hamilton went up stairs and locked themselves up; Sundag then went up stairs and called out to Mr. Hamilton to open, which he did not do; he then called for some more negroes to come, and Peter by name, saying, if he did not come up to help him he would cut off his head; Peter did not come up; the negroes up stairs began to knock at the door with a hammer, and then Mr. Hamilton opened the door, and said, "Well Sundag what do you want?" and he answered, "We want the guns:" he, Mr. Hamilton, then coaxed him, and said, "Go down stairs and I'll give you the gun;" mean time the negroes outside the room were telling me that if they did not get the guns they would take off my head too; I got into the room and begged Mr. Hamilton to give up his gun, which he did, to Sundag; and at the same time the overseers wanted to fire, when Mr. Hamilton told them to give up their guns, and not to fire, and the overseers gave up their guns accordingly; when Mr. Hamilton fired the two pistols, there were not any negroes in sight, (not one), but immediately after the negroes collected about the house, with Sundag at their head; when Sundag came down stairs, he and the party that went up stairs with him, brought down five guns, four of which were loaded; Sundag held one himself, and gave four negroes the others; Sundag fired his piece and hurra'd; the other three guns that were loaded were also fired, and the negroes cheered. Sundag and Mr. Hamilton came down stairs together; Sundag went out in the yard, and after firing sent a negro, named Call, to Mr. Hamilton, who remained in the house, to say that they wanted powder; Mr. Hamilton said, "Well, Call, I have got no powder, but go up stairs and search;" Call went up, and then I and the two overseers came down stairs, and left him searching in Mr. Hamilton's room; Call searched, and found three canisters of powder, which he took away; but he did not search well, as there were three more canisters left behind with powder. When Call came down, Mr. Hamilton said, "Well, have you found the powder," and Call said, Yes; Mr. Hamilton told me while Call was searching, to try to get hold of the powder, and throw it into the trench, if Call did not find it. Mr. Hamilton told me that the negroes had taken away his two pistols, and he begged me to inquire amongst them who had them, and to say that the pistols were his property, and did not

Enclosures in N° 7, Examinations, &c.

belong to the estate, and begged them to give them back to him; I saw Call with one of the pistols, and Hector had the other, but they did not give them back, as I did not ask. when the negroes made peace afterwards, the pistols were sent to Dr. M'Turk's, at Felicity. Mr. Hamilton called for his horse before Sundag had got far from the house; Sundag overheard him, and called the negroes back; Sundag wanted to prevent Mr. Hamilton going away, and said the horse must be shot; but Mr. Hamilton begged he would not do it, and said the horse was his property; Peter, a negro belonging to the plantation, also begged that the horse might not be shot, and they spared him in consequence; Sundag then said, "We will now go and hold Dr. M'Turk," and he and the other negroes went away in that direction. About half an hour after (it was moonshine at the time) Sundag went away, Mr. Hamilton mounted his horse and went away, but I don't know what way he rode; next morning he sent to call Susanna to come to him at the front house at the water side; Susanna went to him and came back; she then sent breakfast and clean clothes for him by me. That day Mr. Hamilton rode to Dr. M'Turk's, and returned several times; he slept at the front house by himself, not a negro with him. Wednesday morning he (Hamilton) rode to the building at Le Resouvenir, and came into the house, and called Susanna to give him coffee, which he got; he told Susanna to send coffee to Dr. M'Turk's for the soldiers, which she did; and he then rode away to Dr. M'Turk's. On Sunday, 24th August, Sundag and Hector came back to Mr. Hamilton's house, and forced open the window of the comtoir, and took out seven new cutlasses and two fowling-pieces that were there; and afterwards they went to Susanna, and demanded the key of the room; she gave it, and they went up stairs, and took the remaining three canisters of powder and two parcels of ball cartridges, and some loose powder, and plenty of balls, large and small, which they took aback with them to the rest of the negroes who were there.

I heard Susanna say that Mr. Hamilton had told her that the negroes were all free, and that he would have no occasion to buy her now; but that he meant to carry her home with him. Susanna told me of Jack's intention to try for freedom, and said that Mr. Hamilton had told her of it; that she wished he could wait until Mr. Hamilton had sold all his things. This conversation took place between her and me the Sunday before the business broke out; Susanna was always very communicative with me, because I was a favourite with her (not carnally); and she said I was a good boy, and never carried news. A boy named Michael told me that Quamina came on Wednesday, 20th August, after the insurrection, and saw Parson Smith; Mr. Smith came to Mr. Hamilton's house to the front door, after the negroes had taken the guns and gone away, and spoke to Mr. Hamilton; his lady was with him; I heard him say to Mr. Hamilton, not to be afraid, the negroes would do him nothing. Mr. Smith and his lady went away together, and in about an hour afterwards the overseers left Mr. Hamilton's house, and went to Mr. Smith's; Mr Hamilton had gone away about half an hour before the overseers quitted the house.

Declaration of *Paris*; 29th September 1823.

On the Sunday before the revolt, Parson Smith gave sacrament to the following effect: he gave each man a piece of bread and a cup of wine, which every body tasted of, and said the bread was in token of our Lord Jesus Christ, and the wine of his blood; and the Parson then asked us, if we took the country if we intended to do him any harm? we all said, No; there were Manuel, Bristol, Quamina, Jack, Azor, Mars, Seaton, and many others whose names I do not recollect; then the Parson brought the Bible, and every body put their hands on it, and the Parson repeated the words of, We are the servants of Jesus Christ, as we begin with Christ so will we end with Christ, dead or alive; then every body bowed their heads, and it was agreed by the Parson to us, that let whatever happen we were to call no names. Mr. Hamilton went out before this, and Jack followed, then I followed; I saw Jack and Mr. Hamilton going down to the house; then I heard Mr. Hamilton tell Jack that we must take down the bridges for fear of hauling the great guns after us. I heard Mr. Hamilton say, the President's wife was to be his wife in a few days; then Jack said that the Governor's wife was to be his father's wife, and if any young ladies were living with her, or she had a sister, he would take one for his wife; then he went to Mr. Hamilton's house, and at the door Mr. Hamilton said, if we got on well he would give us the paper the King sent for us. Jack and I then went to Success Middle Walk, where we met the gangs all waiting, Quamina at their head, when it was agreed among us to put down our hoes and not to work till the drivers came to us, and we were to tell the drivers to go to the managers and tell them the King sent out our freedom, and the white people were cheating us; then Jack said, "If it is so, we better do nothing; but if we intend to go on, we must put the overseers and managers in the stocks, and go to their houses and take all the arms and powder," which we did. At the same time we were taking the sacrament, the Parson even said, the thing we intended, if we did not seek it now we should not receive it any more, we, nor our children, nor our children's children.

Examination of *Goodluck*, a Slave belonging to P. M'Clure, Free Black Man; 29th September 1823.

My mother, who is now dead, lived with Quamina (Jack's father), and that is the cause of the friendly connexion between me and Jack's family. I declare, that about three weeks before the revolt, I went up the coast to New Orange Nassau, where I have a wife. On Sunday I left that estate to go to chapel, and in my way back I called at the house of Miss

Enclosures in N° 7, Examinations, &c.

Mary Chisholm, in front of Success; Quamina came and met me there, also Seaton, Bristol, Manuel and Jack. Jack had been to town, and when he came up to the gap by the public road near the cabbage trees, he waved his hand and called on us; Quamina saw him, and he desired us to go out, naming me in particular; we all went out to Jack, and thereupon he told us that "it was true," (meaning that the slaves were to have three days); that he had just come from the Governor's servant, who had told it him that it was so, and that the paper was even then lying on the Governor's table, but that he could not get it out then, as the Governor was himself in the house; that he, Jack, had observed to the Governor's servant, that the negroes were going to try to get it; and that the servant said, "No, Jack, you had better not do that, but wait, for if it is a thing ordained by the Almighty you will get it, and it is well to wait." Quamina then asked me, "Goodluck, have you heard any thing in town about this?" and I said, No. Quamina said, "Why, Goodluck, you who are in town ought to know; why don't you inquire about it?" A white man appeared on horseback, and we dispersed; Jack went to Chateau Margo, and I went into Miss Mary Chisholm's house, (she was in the house at the time, and saw us meet in the walk after we left her house to go out to Jack); Quamina and Seaton came into the house with me, but soon after went away; and soon after they went, I returned to New Orange Nassau, slept there that night, and came to town next morning. The Sunday after that I went to chapel; and after we came out and were going down the middle walk of Le Resouvenir, Jack said to me, "Well, Goodluck, are you ready?" I said, Yes. He said, "Goodluck, do you think that we are to live all the days of our lives in this way, and have people cutting, cutting up our skins in this way, and know that there is something good for us, and not to take it." I said, "No, before I will live so to have my skin torn up, I will sooner die," by this time plenty of people overtook us, and we dropped the conversation. On Saturday, the 16th August, two days before the revolt, Quamina and Jack sent Anderson, a boy of Success, to call me; he found me in my master's yard, and I told him to say to them, yes, I would come up; and on that same night I left town, I went straight up to New Orange Nassau, and next morning I went down to chapel, where I met Quamina and Jack, &c. Jack said to me, "Have you brought up your things? the business is to be done to-morrow;" and he asked me if I was going to town again. I told him, yes; and he said, "will you be up to-morrow;" and I promised that I would. I went to New Orange Nassau that night, and on Monday morning I went to town. I went to Tully, at Mr. Hyndman's, about nine o'clock A. M. and told him, that Daddy Quamina sent to tell him, how d'ye. Tully asked me if the negroes had begun to take up the bridges yet, and I said, no, they had not begun yet; I then left Mr. Hyndman's yard. That same day I met Manuel, belonging to Pleasing Hope, at Paterson's new platform by Heathcote's Stelling, and I told him what was going on up the coast, and that I was to take part in it, as all my family were engaged in the affair. Manuel said to me, "Take my word, my friend Goodluck, you had better not go, for if any thing goes wrong it will go hard against you for leaving town." I took his advice, and did not go. I confess that I spoke to Mandingo George, and Congo George of Plantation Endeavour, when they were in town with the boat, about two weeks before the revolt; the conversation was as follows: "Well, how do you get on in Leguan?" Mandingo George answered, "Very well; they have taken the whip from the driver." I said, "because something has come out good for us, and the white people know it, and that is the reason they have done it." I said, "the negroes up the coast know something about it, and they are going to lay down their tools." George then said in reply, "What! are you going to do like the brigands?" and he then jumped into the boat and left me. I did not see George after that until I was brought up prisoner in the Endeavour boat, of which he is one of the crew. The Kitty punt was the same day lying at the Fort Stelling (Kingston), and Toney and Jack were in it. Jack, with whom I am acquainted, spoke to me thus: "Bass, is it true; I hear something has come out very good for us." I replied, "Yes, I have heard it myself." Jack said, "The old man," (meaning Mr. Easton), "has as good as told us it; that if we behaved well, we would get three days." I then told him that the negroes up the coast were all going to lay down their tools, and to see the Governor about it. The punt went up the river, and came down on the Saturday after; I then saw Toney; I had gone down to buy fish at the Stelling; I went on board the punt, and spoke to him. Toney said, "what news?" I told him, "the same news going on still." Toney said it was true, for their engineer read it to them out of the paper; and when he saw Mr. Easton's son coming he put it aside; this was all that passed between me and Toney. My wife Esther, of New Orange Nassau, had gone to the Thomas to pay a visit to Jacob of the latter estate; I accompanied her; but Jacob was not at home, (it was on a Sunday, and my wife had come down with things to sell.) A man belonging to the Thomas called me into his house, and offered me some beverage; he has marks in his face, and I believe he is a carpenter, as I saw an unfinished sideboard in his house; it is a detached house. The following conversation passed between us after I was seated in the house: my wife was not present, as she had gone to speak to Jacob's sister. The man, "what news up the coast?" I replied, "the same news, about the three days that we are to have" He said, "we have heard it ourselves, but we are going to wait and see what the Lord will do for us." I replied, "the Lord says, "we must help ourselves, and he will help us;" and I told him what the negroes up the coast were going to do: this was at two o'clock on Sunday, before the Sunday the business broke out, as well as I can remember. He accosted me by the title of brother, as he was an attendant of the chapel, and we had seen each other there. I stopped about an hour in his house, and then myself and wife went up the coast to New Orange Nassau. Soon after Quamina and Jack first mentioned the business to me, I spoke

Enclosures in N° 7, Examinations, &c.

I spoke to John Langevin, belonging to John Cleland, free coloured man, under Miss Sally Cleland's house; I told him that the people on the coast were going to put down their tools; and he said, "as for that, I will not join it." Not liking his answer, I went no further with him. Alfred, belonging to Johanna Hopkinson, was the first negro I spoke to about what was going on. Alfred said to me, "I hear very good news." I said, "how is it?" Alfred replied, that Mr. Garret had said to him, "damn it, I wish that what has come out for you, you can get it and go and eat one another." I said, "why, after the white people don't eat one another, how do they expect we should eat one another." Soon after the bell rung, and the conversation dropped. I never spoke to Alfred on the business after that.

Examination of *Toney*, of Le Resouvenir, Driver to the Women Gang of that Estate; 29th September 1823.

I was on the estate the evening when the disturbance began. The first noise I heard was a gun from the great house; the whole of the estate's negroes then ran from the negro-houses to the great house; before I got there, the negroes had got the guns already; then I met the manager, and went with him, and prevented the people from taking away the manager's horse; I remained all night walking about until morning; I saw Mr. Hamilton on Tuesday morning about six o'clock, and then he gave me orders to take care of the stock. Then, on Wednesday morning, Mr. Hamilton came again, and ordered me to go aback to cut plantains, and carry them to Felicity for the soldiers; I did go aback with another old man, but found the negroes had carried away the punt to prevent our conveying any thing. I remained all day on the estate. I did not see Quamina that day there, but I heard from the people, he had been there a day or two after the fight, but cannot tell the day; I deny positively that I ever cracked my whip when the gun was fired; I remained constantly on the estate.

Examination of *Mitchell*, alias *Michael*, of Le Resouvenir, Groom; 29th September 1823.

On the morning of the 19th August last I was in company with Dose of Le Resouvenir, in the horse stable of the estate; I then saw Quamina go into Parson Smith's yard, on that estate; he, Quamina, staid there a considerable time, and when he came out he went to mulatto Sanky's house, after which I did not see him.

Examination of *Michael*, of Le Resouvenir; 30th September 1823.

I was at home on the night the trouble began; I slept in the horse stable; this was Monday night. I remained on the plantation all Tuesday; all the negroes had left the estate except the women and Dose. On Tuesday morning early, I saw Quamina pass and go into Mr. Smith's yard, I was then in the horse stable, and called Dose who was in the kitchen, and told him "look uncle Quamina da pass." I saw him when he came back, and think he may have been there about half an hour, and went towards the negro-houses. Wednesday I remained at home all day, but never saw Quamina again until I saw him dead. I saw Parson Smith in his house on the Tuesday morning, when Quamina went into the yard, but did not see him with the parson.

Who was the head man on the estate in this trouble?—Sundag was the leader.

In answer to a question why Mr. Hamilton fired the pistol?—I do not know whether it was to frighten the negroes or call them. As soon as the two pistols were fired by Mr. Hamilton, the negroes came up, but I think from the sound of them, it was more like blowing them off, than as if they were loaded.

Examination of Mr. *Gun*, late Overseer on Le Resouvenir; 2d October 1823.

I was on Le Resouvenir about half-past five o'clock on Monday 18th August, at dinner. Mr. Hamilton asked if we had heard anything of the intention of the negroes rising? I told him no, I had not; he said a letter had been found either addressed to or written by Quamina, to say the negroes must rise that night; they could not wait any longer. I was shortly after that shutting the logie door, when I perceived the men gang coming into the yard from the field; one of them immediately gave a hurra, and the rest of the gang followed him towards the house. I ran into the house, and met Mr. Hamilton and Mr. Parker there, and told them the negroes were coming; he immediately ordered us to arm ourselves, and go to his chamber where the arms and ammunition were; we did so, and fastened the door, shutting ourselves up; a crowd of negroes followed us up stairs, demanding the arms, and threatening to break open the door, which at last they did. We kept them at the point of the bayonet, and Mr. Hamilton declared he would not give them up except with his life; the boy Dose about this time crept under them into the room, and begged Mr. Hamilton to give up the arms, or the negroes would murder us all. I was listening to Dose, and a little off my guard, when the negro Sundag rushed in upon me, seized my gun, and putting his cutlass to my throat, threatened to cut my throat if I did not give it up. I made an attempt to get it away from him, but he succeeded in getting it from me; the others seeing this, rushed on upon Mr. Hamilton and Mr. Parker, got their arms from them, and then they all left the estate, and I saw no more of them till the business was over. About an hour afterwards, we heard a noise towards the Chateau Margo side, and we intended to go into the cotton-piece, but seeing the door of Parson Smith's house open, I and Mr. Parker went in, saw the parson and his wife there; we told them of the noise we heard, but he seemed quite indifferent about it, and at his ease; on seeing which, we immediately

left

Enclosures in N° 7, Examinations, &c.

left the house; the noise then ceasing, I did not go into the cotton-piece, but remained about the buildings; and the next day Mr. Hamilton sent for us, and told us to take our cutlasses and go over to Mr. M'Turk's, which we did, and remained there a week, when I was called to town to give evidence.

Memorandum respecting Parson *Wray* corresponding with *Azore*; 4th October 1823.

It appears from the following, that Mr. Wray has been in correspondence with the leaders of the late revolt:—About three weeks prior to the business, Battice, a black soldier on half pay, saw Azore receive a letter which was said to have come from a parson, but he did not hear who. Since this there is evidence to prove that Azore wrote to Mr. Wray on the same day, the person he employed to write for him is a free mustee man named Abram Valtz, who had permission to live on Vryheids Lust. The letter was forwarded to Berbice by a woman named Juliet. The first letter was sent three months before by Amsterdam.

Examination of the Girl *Elizabeth*, of Plantation Industry; 7th October 1823.

She was living with Mrs. Smith, learning to sew; was with her a long time.

She says, she was in Parson Smith's house the night the disturbance broke out; Charlotte and Macomba were in the house at the time, and Mr. and Mrs. Smith were out taking a walk on the dam. Tuesday she remained in the house, and Wednesday evening saw Miss Kitty Cuming there; on Wednesday night, when Miss Kitty went over to Ankie's house, she saw Quamina standing at the entrance of Parson Smith's door, (she being at that time in the kitchen), then he went into the house, and remained there rather a longer time than she has been giving this evidence; she remained in the kitchen all the time, and therefore could not hear what passed; she then saw Quamina go out. There was nobody in the room when Quamina was there except the parson and his wife.

This girl appears to be about eleven years of age.

Examination of *Peter*, of Le Resouvenir; 7th October 1823.

About a week before the revolt broke out, I was passing by the manager's house, and Susanna called me, and she told me that Mr. Hamilton wanted to take her home to make her free. She said that Mr. Hamilton told her there would be no occasion to buy her, as it looked as if the negroes were going to rise, and he would not give half a bit for any one. Between five and six o'clock on Monday night the 18th August, I was in my house and Sundag came from the Yaws house and called out, "Is there no man on the estate? it is time now, Success bell has rung already;" then every one came out and went to the manager's house. Mr. Hamilton seeing them come, called out, "Sundag, what do you want?" Sundag said, "The King give we free, and you no want for give we, and we come to seek for it;" and then he, Sundag, went into the house with the rest of the people to get the guns. Sundag told me he intended to put Mr. Hamilton into the stocks, I told him he had better not trouble white people in that manner, and his answer was, "Go away, you know nothing about it." After they had taken away the gun from the manager, and I went round the house, I saw Parson Smith then outside the house and Mr. Hamilton standing together; I went away and left them there. On Sunday 17th August, after church, myself, Quamina, Seaton, Bristol and Zoor, belonging to Le Resouvenir, were at Parson Smith's house. Quamina sent Bristol to call me there; the parson was there, and Quamina told him the negroes were going to drive the white people off the estates to town, to hear what the court was going to do; Parson Smith said "How can you drive the white people? you had better not do any such thing, you will only get yourselves into trouble;" he then told us, the women were not to be flogged but put into the stocks if they did wrong, and the men were not to be punished except by the manager.

Examination of *Andrew*; 7th October 1823.

Says that Arkie sent him to look for Quamina on Tuesday morning after the negroes rose, but he did not find him; on Wednesday morning he saw him, and delivered the message Arkie had given him, which was, Parson Smith wanted to see him; and on Wednesday night Quamina did come about eight o'clock, and after he spoke to Arkie he went towards the parson's house, but does not know if he went in. About nine o'clock that same night, he was in the coffee-piece, and saw behind him two men, one was Quamina, and the other a stranger; called out, "Who's that behind me?" Quamina said, "a friend;" and then came up to him and gave him one bottle of porter, and told him he must carry it for him, to go aback, and he did carry it for him; the strange negro did not go with them, and followed them aback. When they got to the back dam negro-house, he, Quamina, took the bottle from him, and went away towards Plantation Success.

The mulatto Woman *Ankie*, 8th October 1823, in addition to her former statement now declares:—

On the Wednesday night, 20th August, I went into Parson Smith's house, by desire of Quamina, to see if there were any strangers there. I saw there Mrs. Smith, who was walking in the front gallery; and Parson Smith, who was on the sofa in the hall; and Miss Kitty Cuming. I told Mrs. Smith that Quamina was come; she said, what must I do, Miss Kitty is here, and she told me to take her over to my house, which I did, and then I saw Quamina go into the parson's house.

Enclosures in N° 7, Examinations, &c.

Examination of *Dose*, House boy on Le Resouvenir.

Michael told me he saw Quamina go into Mr. Smith's house after the revolt broke out; but I was not present myself, nor did I see Quamina there.

Examination of *Ankey*, Mulatto; resides at Le Resouvenir.

I knew Quamina of Success, a carpenter; he has not been in my house to my knowledge for the last eight months. I was at home the whole of Tuesday and Wednesday, the 19th and 20th of August last. I think I saw Quamina on the estate after the revolt; I believe two days after the revolt broke out; I cannot say I saw him go into Parson Smith's house, though it is within sight of my door. My daughter, Miss Mary, resides with me, and was at home.

Bristol's Statement; 9th October 1823.

Bristol states, that he went to church early on the morning of the 17th August, when Mr. Smith commenced prayers at seven o'clock and continued till about eight, as usual, and then teaching of some of the people to read took place, and continued till nine o'clock; after this, Mr. Smith and every body went to get their breakfast; about ten o'clock they began to teach catechism, and about twelve o'clock (noon) service began, which was conducted as usual. Went with Quamina to Mr. Smith, who asked him if there was freedom come out for them, Mr. Smith said, no, but that there was something good come out for them, but not freedom; Quamina told him, that Joseph and Jack were making a great noise about it, and that the people were grumbling, and that they intended to take their freedom; Mr. Smith asked him how they were to take it? and Quamina said, that they were to drive away the white people; Mr. Smith told him to wait a little, and that they would hear what it was that had come out for them. Says, that Quamina went to Mr. Smith with him on 3d August, when the same conversation took place as on that day. He also says, that he saw Quamina aback of the Success, on Wednesday the 20th August, about four o'clock in the evening, when he retired into the coffee piece to rest himself, desiring the people not to disturb him, as he was much tired; saw him again on Thursday (the next day) about eleven o'clock in the forenoon, with a number of people, who said, if they would go down to Dr. M'Turk's and shoot him, every thing would be easy. Saw Quamina again on Friday morning; he, Quamina, told him he was going in the Bush; Manuel told him, since he has been taken up, that Quamina did go to Mr. Smith, either on the Thursday or Wednesday after the 18th.

Deposition of *W. Cuming*; 9th October 1823.

William Cuming, free-coloured man, appeared before the Board, and declared as follows:—

Mr. Simpson's boy, Joe, told me some days before the revolt, I think it was Friday, that some disturbance was going to take place among the negroes. I then advised Joe to tell his master immediately; Joe said he intended to do so, but that he wished to know something more about it first, as he did not well understand it then; and I told him if it was found out, and he did not discover it, he would be hanged. On the Monday afterwards, I met Mr. Simpson going to town, and told him the above; and the same day, about four o'clock, I went to Felicity and told Dr. M'Turk all I had heard.

Declaration of Miss *Ellen Buchanan*; resides at Porters Hope; 13th October 1823.

On Tuesday morning, 19th August, about two o'clock, I was standing on the steps of the dwelling-house at Porters Hope, when the woman, Amba, passed by with a gun on her shoulder, with a great many other negroes round her; they passed round from the front door to the back door, and I saw no more of them afterwards.

Declaration of Mr. *Shepherd*, of Porters Hope; 13th October 1823.

On Tuesday morning, 19th August, about two o'clock, I saw the woman, Amba, belonging to Plantation Enterprize, at the door of my dwelling-house, with a musket on her shoulder, and there was at the time from a thousand to fifteen hundred negroes in the yard; I was standing at the head of the steps with a fowling-piece in my hand; as the negroes came up to get it from me, two of them got hold of it, but did not get it from me; I knocked them down with the butt end of it; then the woman Amba said, "You allow one buckra man to knock down so many of you? take for me gun and shoot him." About five minutes after, I saw her at the other door of the same house, with the musket still in her hand; but saw no more of her afterwards. The woman above-named, is the same woman I have this day seen in the gaol.

Examination of *Namitta*, of Peters Hall; 13th October 1823.

Last year a man belonging to the same estate ran away, and shortly afterwards, on a holiday, I went to Plantation Success, belonging to Firebrace, for my own pleasure, and there in talking with the negroes, I heard them call Fuar's name. I then inquired where he was, and they told me, on the next estate. I went that way, and met with him on the dam.

Enclosures in N°.7, Examinations, &c.

dam. I asked him to go home, and told him there was a new attorney, and he need not be afraid : but he would not go, but went into the cane-piece. I waited until midnight, when he came out again, and followed him to the Plantation Supply (called Relief and Support), and not being able to prevail on him to go home, I staid there four weeks with him, and then we both went home together. I do not know any thing whatever of the Bush negroes, nor have I heard of them, nor was I in the Bush myself.

I do hereby certify that the following persons were put with me into the stocks at Paradise on Monday night the 18th of August 1823; viz.

Mr. Blackstock	an overseer on Paradise.
Mr. Blackstock	stopping on the estate.
Mr. Fordyce	manager at Elizabeth Hall.
Mr. Crawfurd	an overseer at Paradise.
Mr. Laird	stopping on Paradise estate.

George-town, this 14th November 1823. (signed) *John Pollard.*

Extract from the Journal of Plantation Vigilance; 19th August 1823.

Last night between eight and nine o'clock a general revolt of the negroes took place, when the white inhabitants were indiscriminately put in the stocks; I was attacked by the driver, Charles, with a drawn sword in one hand and a pistol in the other, who ordered the following men to seize me, viz. Jack, Gill, Bob, Prosper and Alexander. Half past three o'clock P. M. myself and overseers were released from the stocks by order of the driver Charles.

August 23d.—This afternoon a detachment of the 1st West-India Regiment commanded by Captain Stewart came on the estate, and the said Captain Stewart ordered the men Charles, Jack and Washington to be shot, they having been most conspicuous in the revolt; the men Beny, Gill, Zaro and Ulysses taken prisoners.

I the undersigned do hereby certify the above to be a true extract.

(signed) *Jno. G. Abbott,* Manager.

Plantation Vigilance, East Coast, Demerara,
17th November 1823.

Declaration of *Wm. Fordyce.*

I hereby declare on tender of oath, that on the 18th August now last past, between the hours of seven and eight in the evening, I found that the greater part of the men gang belonging to Plantation Elizabeth Hall quitted that estate without my permission, or that of any of the overseers of the estate; and to the best of my knowledge and my belief did join certain other negroes on the lower part of the coast, then in open revolt and rebellion; and I further declare, that on the following Tuesday and Wednesday I observed several of the men belonging to the said estate with fire-arms, and among the other rebels, with whom they continued in a rebellious state, and did not return to their work until Saturday the 23d day of the same month.

Demerara, 17th November 1823. (signed) *Wm. Fordyce,* Manager.

Declaration of *J. Mackenzie.*

On the night of the 18th August, the whole of the negro men belonging to Plantation Turkeyen left the estate and proceeded up the coast; they came all back to their work next morning, excepting two men, one of which was a mulatto man, named Saugerwagut, which was made prisoner; the other a negro man, named Harlem, who has been missing ever since, and supposed to have been shot at Bachelors Adventure. I do hereby certify under tender of oath, that the above is a true statement.

(signed) *John Mackenzie,* Manager,

Plantation Vigilance, East Coast, Demerara; 17th November 1823.

Examination of *Mandingo George,* a Negro, belongs to Plantation Endeavour, Le Guan; 18th November 1823.

Knows Goodluck; he says he thinks it was about a week before the war began; he was in town, and saw Goodluck on Kingston Stelling; and after talking to him, Goodluck told him that they were going to take the country; he, George, asked him what country, and who was going to take it; he, Goodluck, answered, "this country, Demerara; the negroes are going to rise and take it, because their masters won't give them the three days the King sent out for them;" he, George, answered and said, that on his place they sometimes got Saturday, and were very well satisfied with that; and he ought to be satisfied without asking three days; and further observed to him, "Ah! you rascal, going to do like the brigands in Grenada, kill the white people for sake of getting the country," and then he jumped into his small boat, and went away. Upon his return home to Le Guan, he was sent up the river Essequibo to cut wood, and did not return till the war broke out, and he saw no more of Goodluck until he was brought up a prisoner in the schooner he belongs to.

This man says he came from Grenada with Mr. James Murray.

Enclosures in N° 7, Examinations, &c.

Eve Leary, 19th November 1823.

Sir,

I have received your letter of the 17th instant, and shall be happy to comply with the wishes of the Board of Evidence.

On Tuesday the 19th of August, affairs began to assume a serious aspect, so much so that it was deemed necessary I should proceed up the east coast into the disturbed district with a considerable force, as the detachments moved to that point on the preceding evening, reported to have been effectually opposed so as to make little or no progress, the main body not having proceeded further than Felicity and Chateau Margo; moreover, it had been reported that the rebels had made some desperate attacks on the post of Mahaica, at that time ill provided with men and ammunition for any protracted contest.

It was a late hour in the evening before we commenced our march, and it proved a truly laborious and painful service; to obstruct our progress the disaffected negroes had destroyed the numerous bridges over the canals, trenches, &c. from Plantation Felicity to Mahaica, a distance sixteen or seventeen miles; this retarded us considerably, and however much we lamented it at the moment, we had finally reason to rejoice at it. As so much time had been lost in crossing the destroyed bridges, that it was near four in the morning before we arrived at Bachelors Adventure; the moon had disappeared, and the troops were at this time so much fatigued and exhausted that we decided upon halting there for a short time, more particularly as approaching that estate we distinguished several gangs of negroes in the cotton fields; my suspicions proved correct, and the result justified the step I had taken. This estate was, in fact, the place of rendezvous of the disaffected rebels, and whose numbers exceeded some thousands.

The hostility of the negroes first showed itself on that evening, or rather night, at Good Hope, and again at Lusignan, where some of their scouts fired upon the troops; at Bachelors Adventure, however, the temerity of these misguided wretches exceeded all bounds, and gave us reason to anticipate a most determined resistance; still considering the description of the foe opposed to us, I thought that some forbearance, on endeavouring to bring them to a sense of their duty, and to persuade them from their dangerous, vain, as well as criminal proceedings, would at all events be the most humane, and perhaps most politic measure, particularly as we were apprehensive that they had still a number of whites in their power; but all my efforts, for some hours, at reconciliation, I am truly sorry to say, proved fruitless; nay, on the contrary, our very forbearance seemed to inspire them with fresh confidence; they gradually grew bolder, their insolence increased proportionally, and at last when I perceived that some of the party windward endeavoured to gain those to leeward (to get between us and the town) by entering the cotton fields, I saw that hesitation or a moment's further delay would be criminal in the highest degree; moreover, as the insurgents at that time began to brandish their weapons in defiance, and defy the troops to come on, that they would never lay down their arms, I then thought it was high time to resort to force, and with what success the official accounts have stated. The loss they sustained here, the check they received from Lieutenant Brady at Mahaica, and the severe examples we were forced to make the few subsequent days of the most daring ringleaders, only brought the rest to any thing like a returning sense of their duty and obedience; and however much I had mistaken the negro character, and the risk I ran in parleying with them, (as some of them at the very moment proposed to secure me,) still I rejoice infinitely that such repeated and strenuous efforts were made by us to avoid the being obliged to have recourse to fire-arms.

The rebels we encountered at Bachelors Adventure I at first estimated at somewhat about two thousand, I now find that I considerably under-rated them, great many of them being concealed in our rear, in the cotton fields behind that estate, and it was one of those who shot our bugler, and some of them also fired the building on Bachelors Adventure. I should here add, that on our way to Mahaica, we saw several very considerable bodies of negroes at a distance, right and left; they were late in reaching the appointed place, owing to their having indulged too freely the preceding night in wine, which they obtained on plundering the houses of different estates. There is no doubt but, in a few hours, the number of insurgents at Bachelors Adventure would have been doubled.

I have the honour to be, Sir, your very obedient humble servant,

(signed) *John Thomas Leahy,*
Lieutenant-colonel, 21st regiment Fusileers, commanding East Coast.

— N° 8. —

Extract of a DESPATCH from Major-general Murray to Earl Bathurst; dated 25th December 1823.

N° 8.
Despatch from Maj. Gen. Murray. 25th Dec. 1823.

N° 254.

My Lord, Demerara, 25th December 1823.

I HAVE had the honour to receive, and in obedience to your Lordship's command have had the satisfaction to communicate to the civil and military authorities under my command, His Majesty's gracious approbation of their conduct, as conveyed in your Lordship's despatch of the 23d of October.

With respect to the executions consequent upon the revolt, which it has been my most distressing duty to fiat, I have been guided by those principles which your Lordship has done me the honour to expect I should be actuated by.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

— N° 9. —

Extract of a DESPATCH from Major-general Murray to Earl Bathurst; dated 26th December 1823.—(Two Enclosures.)

N° 9.
Despatch from Maj. Gen. Murray. 26th Dec. 1823.

N° 256.

My Lord, Demerara, 26th December 1823.

I HAVE the honour to acquaint your Lordship, that I have deemed it my duty, in consequence of the late unfortunate occurrences in this colony, to prohibit the observance of the usual holidays at this season, in that district of the united colony where the irritation of mind among the slaves, consequent on their recent outrageous conduct, might have rendered them unmanageable, when excited by the unrestrained use of spirituous liquors, unavoidably frequent on those occasions of festivity; and I do myself the honour of transmitting to your Lordship copies of a proclamation I have issued and caused to be circulated in every part of the united colony to that effect.

Deeming it highly proper that those unfortunately misguided people, whose revolt had set so dreadful an example to the slaves generally in these valuable settlements, should be made thoroughly aware that the harsh measures my duty to my Sovereign had compelled me to adopt for forcing their return to their allegiance, had received His Majesty's approval, thereby convincing them that they had not emanated from the motives by which they considered the local government to be actuated, I took occasion, when publishing the proclamation I had the honour to receive from your Lordship, in your despatch of the 23d October, to convey to them the knowledge of His Majesty's gracious approval of my conduct, and of the deep regret with which His Majesty had received the intelligence of their daring insurrection.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

(Enclosure 1, in N. 9.)

PROCLAMATION.

Demerara and Essequibo,
(L. S.)
John Murray.

BY his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.

WHEREAS such part of the slave population of this united colony, as during the late unhappy disturbances, resisting the influence of bad example and vicious excitements, have remained true to their allegiance, and faithful to their lawful masters, have by such their good conduct proved themselves worthy of confidence and every reasonable indulgence: it is deemed expedient, notwithstanding the recently disturbed state of the colony, that the approaching holidays should be duly observed

Enclosure 1. in N° 9.

observed among those peaceable and well disposed slaves; and I have therefore thought fit to issue this my proclamation, hereby ordering and directing all proprietors, managers, overseers, attornies and others, having charge of such slaves within this settlement, to sanction and encourage such observance of the Christmas holidays among their slaves, as is usual; viz. That such slaves shall not be called upon to perform any manner of work on Thursday the 25th day of this month, but shall have that day as a holiday to dance or employ themselves as is usual on such occasions; and that Friday the 26th shall be a day of rest and indulgence until twelve at night, the slaves returning to their usual avocations on Saturday the 27th, at the accustomed hour: but I hereby positively forbid all persons having charge of slaves on the east coast of this colony, from George Town to Mahaica Creek, on any pretence or consideration whatever, whether such slaves shall have been actually engaged in the recent riotous proceedings or not, to admit of any dancing or indulgence whatever among them during the approaching holidays, save only that Christmas-day, being one of religious observance, such slaves shall not be called upon to perform any work.

Given under my hand and seal of office, at the King's House in George Town, this 16th day of December 1823, and in the fourth year of His Majesty's reign.

GOD save the King!

By command. *John Murray*, Gov. Sec.

(Enclosure 2, in N° 9.)

PROCLAMATION.

Demerara and Essequibo,
(L.S.)
John Murray.

BY his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.

HIS Majesty having been pleased to convey to me, through the Right honourable the Earl Bathurst, K. G. principal Secretary of State for Colonies, his royal approval of the measures adopted in consequence of the late unfortunate occurrence among the slaves on the east coast of this colony, and his satisfaction at the zealous and praise-worthy conduct of the officers, both civil and military, by whose exertions the rebellion has been happily put a stop to, and order re-established in this colony, as well as His Majesty's deep regret at the daring and highly criminal conduct of those slaves who have participated in the late revolt, has commanded me to make known to the slave population of these settlements, as expressly from His Majesty, and in His name, that it is on the peaceable, temperate and industrious behaviour of the slave population, and on their anxiety to avail themselves of all means calculated to improve their moral and religious condition, that the success of those measures intended for their special benefit necessarily depends; and that an opposite line of conduct will forfeit all their claims to the liberality of the British Parliament, and deprive His Majesty's Government of the means of carrying into effect the resolutions which have been unanimously adopted by the House of Commons.

I have therefore thought fit, in the name of His most gracious Majesty the King, to cause this my proclamation to be printed and made public; commanding all persons having charge of any slaves in this colony to make known to them the contents thereof immediately, for their guidance.

Given under my hand and seal of office, at the King's House in George Town, this 16th day of December 1823, and in the fourth year of His Majesty's reign.

GOD save the King!

By command. *John Murray*, Gov. Sec.

— N° 10. —

Copy of a DESPATCH from Major-general Murray to Earl Bathurst; dated 7th February 1824.—(One Enclosure.)

N° 10.
Despatch from Maj. Gen. Murray, 7th Feb. 1824.

N° 259.

My Lord, Demerara, 7th February 1824.

I HAVE the honour to transmit, for your Lordship's information, an official copy of a process verbal held yesterday on the body of Mr. John Smith, of the London Missionary Society, who departed this life at an early hour in the morning, in the colonial gaol, where he was in confinement a state prisoner. This event renders it of course impossible for me to give effect to the commands conveyed by your Lordship's despatch of the 23d December, which I have had the honour to receive this morning.

The remains of Mr. Smith have been this day interred in the burial-ground in George Town.

I have the honour to be, my Lord,
Your Lordship's most obedient humble servant,
John Murray.

(Enclosure in N° 10.)

MINUTE and Process Verbal of an Inquest held this 6th day of February 1824 years, by command of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, on the body of John Smith, late Missionary Preacher at Bethel Chapel, on the East Coast, but some time since a prisoner in the colonial gaol, at the requisition of his Honor V. A. Heyliger, First Fiscal, and in presence of the Honourable Counsellor, Commissaries John Croal and Nicholas Hugonalty.

ON or about half-past four o'clock P. M. we were introduced into the upper sick ward situated on the left side of the colonial gaol hospital, where we found the corpse lying in a coffin, which Mrs. Smith, widow of the deceased, pointed out to be the body of her late husband, John Smith, who died this morning at two o'clock A. M. We were then informed by his honor the first fiscal of the cause for which we were summoned, being for the examination of the medical men who attended the deceased during his illness until his death.

Dr. Mathew James Chapman deposed, That he attended, in conjunction with Dr. Webster, surgeon to the gaol, on the deceased. Dr. Robson was in attendance on the deceased for some time before; on the morning of the 18th August last past Dr. Robson saw him, and believes has only seen him once since, Dr. Robson being taken unwell. That he, the deponent, was requested by him, Dr. Robson, to attend Mr. Smith for him at the colony gaol; he had a direction from the military secretary to that effect: he, the deponent, learnt from Dr. Robson that he considered Mr. Smith to be consumptive. He further deposed, that it is about eight or ten weeks since he first saw Mr. Smith; his symptoms were those characteristic of phthisis pulmonalis: that his countenance had that peculiar appearance remarked in consumptive persons; his eye was pearly; he had a frequent and harassing cough, considerable difficulty of respiration, a fixed pain in one part of the chest, and lately considerable pain in the trachea; he had always fever in the morning; his pulse at this time was very frequent; he suffered much from profuse perspiration; he expectorated a considerable quantity of a matter that sometimes appeared to be mucus, and sometimes pus. These symptoms became much aggravated a few weeks ago; he suffered occasionally, during the last days of his existence from diarrhœa; he in a great measure lost the power of speech and of deglutition during the last two days; he was worn away to a skeleton; his expectoration at last was, to the best of deponent's judgment, entirely purulent.

The deponent, Dr. Chapman, being asked whether the corpse lying in the coffin in the room where we were assembled was that of John Smith, deceased, who died a prisoner in gaol, he affirmed it to be the same, and stated that there was no doubt in his own mind that the sickness he had before described was the cause of his, John Smith's, death.

Dr. Francis Webster, surgeon of the gaol, being called and interrogated by us, confirmed

Enclosure in N° 10.
Minute and Process Verbal

confirmed the statement made by Dr. Chapman above mentioned; and deposed, that his own opinion of the cause of the death of the said John Smith is the same.

Drs. Waddell and M'Turk having looked at the body of the deceased John Smith, declared that they recognized it as being the corpse of the person they had known in his life-time as missionary preacher at Bethel chapel, on plantation Le Resouvenir; and further, that from the present appearance of the deceased, they were of opinion that the cause of his death could be no other but that described by Drs. Chapman and Webster, and that there was no necessity to examine the corpse itself more particularly. An opinion, as to the cause of his death, they now made declaration they had been requested and particularly commissioned to give by his Excellency the Governor.

Mrs. Smith, widow of the deceased, being examined, declared that her deceased husband had begun to labour under this sickness about two years ago; that on the Monday, the 18th August last, after consulting with his ordinary practitioner, Dr. Robson, he received advice to quit the climate; that his sickness was aggravated by the law proceedings instituted against him, and the imprisonment he suffered. Mrs. Smith further states, that she and Mrs. Elliott were the only nurses that attended the deceased during his illness.

Richard Padmore, being examined, deposed, That he is a gaoler: that he received the prisoner on the 26th of November last, about eight o'clock in the morning; he was accompanied by Mr. Murray, the government secretary, and a troop of cavalry, and was with Mr. Thompson, the scout, in a gig. As soon as he came into the gaol, he went into his (the gaoler's) room; he seemed much agitated. Mr. Murray desired him to pay every attention to the prisoner. He remained in his room till evening, by which time the deponent got a room prepared for his reception, the best vacant at the time; he attended Mr. Smith daily, morning and evening. He, the deceased, remained in that room until a month ago, when Drs. Chapman and Webster said they thought it proper to remove him: that he reported this to Mr. Murray, and he desired the deponent to remove the deceased; he was accordingly removed to the room in which he died. Deponent saw him frequently, sometimes oftener than twice a day; he was in general very sickly, particularly in damp weather, and every attention was shown him. Deponent left the room last night, between eleven and twelve o'clock, requesting Mrs. Smith, if any thing should happen, that she would inform him immediately. Upon a messenger coming to inform deponent that Mr. Smith was dead, deponent repaired to the room, (this was about half-past one o'clock this morning,) and found he was dead; he remained about half an hour in the room, and then went to Camp-house, to inform his Excellency the Lieutenant-governor. The deponent further declares, that he provided the food and dieted Mr. Smith until he removed into this room (meaning the room in which we now are), after which the deceased was entirely dieted by Mrs. Smith (which Mrs. Smith acknowledged to us to be true); that during the last month Mrs. Elliott during the day was with Mrs. Smith.

Mrs. Elliott, wife of Richard Elliott, deposed, That she has been witness to the attention paid to the deceased by Mrs. Smith, and that she gave her own assistance; and afterwards, Mrs. Smith and Mrs. Elliott having been both interrogated as to the conduct of the gaoler towards the deceased, and to themselves, both declared, that in justice to Mr. Padmore, they cannot but say but that the deceased and themselves received from Mr. Padmore every attention and kindness.

The parties having been duly sworn by us Counsellors Commissaries, have signed these presents, together with us, at the colonial gaol, George Town, Demerara, datum ut supra.

Mathew James Chapman, M.D.
T. Webster, surgeon of the gaol.
Jane Smith.
Elizabeth Elliott.
Richard Padmore.

Counsellors Commissaries,
John Croal,
N. Nugentrottz.

John Waddell, M.D.
Michael M'Turk, M.D.

In my presence,
(signed) *Charles Wilday*, J. Dep. Sec.

—N° 11.—

Extract of a DESPATCH from Major-general Murray to Earl Bathurst; dated 14th February 1824. (14 Enclosures.)

N° 11.
Despatch from
Maj. Gen. Murray,
14th Feb. 1824.

N° 260.

My Lord, Demerara, 14th February 1824.

ANXIOUS, as far as was consistent with the safety of the settlement over which I had the honour to be placed by His Majesty, to limit the number of examples which it has lately been my truly distressing duty to make among the rebels who have been made prisoners during the late revolt of the slaves in this colony, I have never failed most anxiously to weigh and consider the evidence adduced against them, and the particular acts proved, with a view to affording them the benefit of even the most trifling circumstances of a nature calculated to mitigate their offences.

As I do not, under His Majesty's instructions, possess the power to pardon in cases of high treason, I do myself the honour to transmit to your Lordship the original proceedings against the following individuals who have been capitally convicted, in the hope that your Lordship will be pleased to submit them for His Majesty's most gracious consideration, *viz.*

1. Jack, of Success.
2. Ralph, of D°.
3. Quaco, of D°.
4. Primo, of Chateau Margot.
5. Quaco, of D°.
6. Duke, of Clonbrook.
7. Kinsale, of Bachelor's Adventure.
8. Cudjoe, of Porter's Hope,
9. Inglis, of Foulis; case referred to on 21st October, N° 248.
10. Adonis, of Plaisance.
11. Gilbert, of Paradise.
12. Smith, of Friendship.
13. Quamine, of Haslington.
14. Nelson, of New Orange Nassau.
15. Zoutman, of Beeter Nerwagting.

The Charges preferred against these individuals are in all respects similar to each other, with the exception of Jack, who is charged with having acted as a chief or leader in the revolt; with respect to the others, I can advance but little in their favour, beyond their having shown a moderation, and their appearing rather to have followed the current with their companions, and to have been misled by the more cunning and designing among them than to have been themselves inclined to violence; but with respect to Jack, I feel myself bound more fully to lay before your Lordship the grounds on which I have been induced to submit his name as one His Majesty may consider worthy of His royal clemency.

This man is clearly proved to have been a most active agent in promoting the revolt of which his father Quamina was undoubtedly the principal ringleader, and Jack appears to have had quite sufficient influence of himself over the minds of the other negroes, to have enabled him to guide them almost at his own will in the progress of their revolt, although certainly not sufficient to have checked its actual progress; there is no doubt of his having been in arms, and among some very desperate parties on the night of Monday the 18th of August.

The motives which have induced me to respite Jack are entirely of a political nature, and by no means grounded on an opinion of his innocence of any part of the charge it was my duty to prefer against him; but I look upon it to be good policy in the event of a repetition of such struggles on the part of the slaves, to show them that any benefit they bestow on the whites, even though in the act of rebellion, will not be lost sight of in awarding a punishment for their crimes. Jack, whether from politic cunning, or real good feeling, saved the lives of several white persons, amongst whom was the individual who had him in charge as a prisoner on the 18th of August, and from whom he and his father escaped by the assistance of their companions, who cut the ropes with which they were bound. He is an athletic young man, and of that open and manly disposition which would naturally lead him to enter with heart and hand upon all his undertakings, and which I should conceive likely to render him extremely solicitous for the success of a parent's proceedings, especially when in consonance with his own wishes; it is, therefore, not astonishing that he heartily co-operated with his father Quamina in maturing and carrying into effect a plot which he had been given to hope must procure for both a release from bondage: but in the midst of these proceedings he is found to have screened a party of whites from his companions, who were greatly exasperated against them, and who even threatened himself for his clemency—he prevented their being taken, until the

Nº 11.
Despatch from
Maj. Gen. Murray,
14th Feb. 1824.

the arrival of the troops secured them from danger, and I think it my duty to urge this circumstance in his favour upon the grounds already stated, as well as from an opinion that his escape would tend greatly to lessen the general confidence in any one who might hereafter attempt to lead them from their duty, by showing them that he has led them into the way of danger, and kept himself out of it. His father has suffered for his crimes, and has been gibbeted on the coast. In opposition to these arguments the Court of Policy, which appears pretty well supported by the general feeling of the country, strongly urges his execution, on the grounds of his having, in their opinion, acted entirely from motives of policy in saving the whites; but even supposing it to be otherwise, they say they cannot see the policy of extending pardon to the very head and chief of the revolt, who had been the active agent in inducing the negroes to rise in rebellion, and who did not surrender under my Proclamation, but was one of the few who held out till they were surprised and taken.

Should His Majesty be graciously pleased to extend mercy to these unfortunate men, I would humbly suggest to your Lordship the propriety of not allowing them to be returned to the properties to which they belong, as I am convinced such a measure would create a very general and a well-founded alarm on the minds of the inhabitants; I am even of opinion that it would be dangerous to the welfare of the colony were they permitted to remain in it at all; should your Lordship coincide with me in this opinion, it might, perhaps, meet your pleasure that they should be removed to Bermuda, a climate congenial to them, and where they might be kept employed as convicts, and not be afforded opportunities of misconducting themselves. I have, &c.

(Signed) *Jnº Murray.*

Enclosures in Nº 11.

Received
1st May 1824.

PROCEEDINGS OF GENERAL COURTS MARTIAL AT DEMERARA.

(Enclosure 1.)

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant, and in pursuance of an order of his Excellency Major General John Murray, Lieutenant Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo, &c. &c. and continued by adjournment to the 18th September;—

President, Lieut. Col. Stephen Arthur Goodman, Comᵗ of the George Town Brigade Militia.

Lieutenant Colonel Charles Wray, A. D. C. to his Excellency the Commander in Chief.
Major Thomas Frankland, Comᵗ Provˡ Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur Mackenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.

Members.

Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Genˡ.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of Jack, a negro of plantation Success, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major General John Murray, lieutenant governor and commander in chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Jack*, a negro of plantation Success.

Charge:—For causing, exciting and promoting Revolt and Rebellion against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for having, on or about the night of Monday the 18th of August last, been actively engaged in such Revolt and Rebellion; and further, for acting as a chief or leader or headman in such Revolt and Rebellion; and also aiding and assisting others therein.

V. A. Heyliger, Judge Advocate.

Plea.—To this Charge, the Prisoner pleaded Not Guilty.

Enclosures in No 11.
Proceedings of Courts Martial.

1st Evidence.

Dumfries, a negro of plantation Success, says, He understands the nature of an oath, and being then duly sworn, deposed as follows:—I am a carpenter on plantation Success; I know the prisoner, he is head cooper on the same estate. About two or three months before the time of this rebellion, I first heard from Jack that Joe Simpson had informed him, and Quamina told me also, that Joe Simpson said, that if the white people did not give them their freedom, he, Joe Simpson, would show them how to fight for it. I heard a little boy named Edward, about one week before this affair happened, bring a message from Mr. Hamilton of Le Resouvenir, to Jack, that the Negroes were fools if they did not seek for their own rights (this boy belongs to Le Resouvenir,) that freedom had come for them, and that if they wanted assistance to fight for them, Mr. Hamilton would give them guns. About a month before this, Jack and Quamina sent me to plantation Rome, and as I was not acquainted with any one at Rome, Smart went with me; I don't know the man's name at Rome that I was sent to, but I told him from Quamina and Jack, when Smart had pointed out the man, that I was to inquire if they knew any thing of a plot on the east coast, of their freedom having come out, and if they heard of any fighting on the east coast, if they would not join with the negroes to assist in that fight, they were at least not to assist the white men; the man at Rome replied, that the business was a great deal too hurried, and that if he had time he should send into the Bush, and get a reinforcement from there; I don't know any more than this; the man asked for two or three months time. I am a Coramantye, the man I was sent to at Rome is of the same nation, his country name, I believe, is Quashy, but I am not sure of his name. I have been christened by Mr. Smith, and I attend at Bethel church regularly; I am a member of the church. On the Sunday before this broke out, I was at the morning service, about nine or ten o'clock, and I afterwards went to the water-side; I saw Jack in chapel that morning. The first I saw of Jack on Monday was in the cooper's shop of Success; I heard his father, Quamina, in the shop endeavouring to prevent him from commencing the war; Jack said the time was past already; I heard no more. When the manager came to tie Quamina and Jack, on the Monday, I saw it; I saw Jack and Quamina, at the time the manager and overseers were seized and put in the stocks, they were preventing the people from using them roughly. When I went to Rome with Smart, I spoke to two men; the other man's country name is Quamina, Smart told me so; this one is also a Coramantye.

Question by the prisoner:—Were you in my house on the Wednesday night previous to the Monday, the beginning of the rebellion, when Paris and Toby were there also?—I was not.

Were you not at my house about a week before this, when my father, Quamina, the free man, Cato, and Active, of plantation Success, were at my house talking of this rebellion?—I was there that day; it was about breakfast time; the persons you mention were all there.

Did you not perceive me rescue Mr. Stuart, the manager, from the stocks, and take him to the dwelling-house, and stand guard at the front door, where the negro Richard wished to make an attack upon him, and did I not prevent this attack?—Yes, Jack and Quamina also defended him.

2d Evidence.

Smart, a negro of plantation Success, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:—I am a field negro of Success; I know the prisoner; I went to Rome with Dumfries; Jack at this time had sent Dumfries, and he not knowing the place and the negroes, and as I knew all well, Dumfries went with me; we went and met these two people, Quashy and Quamina; this is their country names; I do not know their white people's names; they are both Coramantie's, and my countrymen, I heard Dumfries ask them if they knew any thing of what was going on about Mahaica, they said they had not heard any thing about it; Quamina inquired what it was. Dumfries said it was talked among them that the King had sent their freedom for them, and that the white people did not want to give it them; Quashy said, that if they found this to be true on the east coast they must send again, and let them know, and that then they, Quashy and Quamina would send into the Bush for the bush negroes; this was on Sunday week before the revolt began; we then went home through the town; we had each a pass. On Monday Jack asked me how the thing was, and I told Jack these people would send for the bush negroes. On Sunday the 17th August, Jack told me to go to Rome again; I came to town and sold my corn, but did not go to Rome; Jack desired me to ask the same people at Rome further about these bush negroes.

3d Evidence.

Active, of plantation Success, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—I am a carpenter on plantation Success, and I know the prisoner, some time before this revolt began I saw Cato in Jack's house, on Success, about two weeks before the revolt; Cato said to Jack, Joe Simpson was in my house on Saturday, and told me that every thing Jack had told him concerning freedom and the projected rebellion was true; they breakfasted at Jack's house, I breakfasted at my own house; after breakfast I went again to Jack's house, and Cato came out, and as he came out with Jack he laughed and said to Jack, you are too cowardly, you see every thing plain before you, and you won't seek for it; Jack gave him no answer, and Cato went away; I heard Jack telling his father Quamina, that Mr. Hamilton had told his housekeeper that if Jack would come over to him, he would tell him all about what was come, that was good for him; this was two Sundays before the

Enclosures in N° 11. Proceedings of Courts Martial.

war broke out; I came to town with Jack about three Sundays before the war broke out, and went with him to Daniel; I saw them together in the governor's yard, in Daniel's house; I saw Sam's wife there; Jack asked where Daniel was; Jack and Daniel stood together about half an hour below the house; I did not hear their conversation; I remained in Daniel's house; Jack and Daniel then came together to Daniel's house, they took up the bible and read it; after they had done reading, Daniel took a piece of paper and wrote on it; I then came out and went to the market.

Question by the Prisoner.—Were you in my house the night Paris and Toby were there?—I was.

Did you not hear Paris say that he knew the way to get round the fort?—I did.

Did I not tell Paris if he interfered with the fort the troops would murder him and every one else?—Yes; I heard you say so.

Did not Paris say it was the only mode to proceed, that if they took any other it would be of no use?—Yes; Paris did say so.

4th Evidence.

Jacky Reed, a negro of plantation Dochfour, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—About eight weeks ago, now, I went to chapel, and saw Jack, the prisoner: I was standing under the eve of one of the negro houses, and himself and his father were leaning over a bridge; his father beckoned me to go to them, when I went up, I found them in conversation; I heard Jack say that Dr. M'Turk dined at Mr. Cuming's, and Dr. M'Turk said he did not know what the devil it is, the King should be so foolish as to be so partial to the slaves, as to send to free them, it would have been better to give them three days in the week; Quamina then took me by the hand, and we all three went a little way; Quamina then asked me if I heard any thing up-along, I told him no, I heard nothing strange; he said ask Jack, and Jack told me that his brother Daniel, a servant of the governor, sent for him and told him every thing of it, that it was really true the slaves were to be free; I asked Jack if he himself had read the papers, he said no, Daniel had read them, and told him all the circumstances; I asked him, why did you not get a copy of it, he answered, Oh, I forgot that; I then went away; I saw Jack again the second Sunday after that, he said, namesake, did you receive a letter, I said no; I asked him what was in it, he said never mind, I will write you another; after that he told me, come aside, and I will tell you a little, I did so; he said the driver at Mr. Post's was flogging a man in the presence of the manager, and while he was flogging the man, the driver said, because you are to be free you won't wait till you get it, but you want to take it yourself; the manager, Mr. Hamilton, then went and told Mr. Stewart of it; that Mr. Stewart went and told Mr. Cort, and that Mr. Cort and Mr. Stewart went to Mr. Smith, and begged him to say nothing of it to the slaves; he then said to me, what do you say, I said I am very glad of it, whenever they give it to me I will take it; I then left Jack; the same day after chapel was over, Bristol came to me and said the same as Jack told me; since I had that conversation with Jack I have never seen him till now; I received a letter from Jack the Sunday before the fun began.

Witness then ordered to withdraw.

5th Evidence.

The Mulatta boy, Isaac, belonging to Stroek, says he understands the nature of an oath; and being then duly sworn, deposed as follows, I belong to Mr. Stroek; I had run away from him; I went to plantation Success; I was there a year and a half; I have known the prisoner Jack all the time I have been there; I can write; on the Sunday before the break out, Jack asked me to write a letter for him, and I did so; the letter was to Jacky Reed; I wrote the letter at Jack's house; his father Quamina was there; he said Jacky Reed must tell all the negroes to get ready by Monday night, to set the cane pieces on fire, and that he had a brother in town that was searching to find out the truth, and that they must take it by force; that there was a man to put fire to the powder-house; I wrapped up the letter, and directed it; I left the letter with Jack, and went away; it was about five o'clock in the afternoon when I wrote this letter; I wrote another letter on Saturday before for Quamina, it was to Joe Simpson.

Question by the Prisoner.—Are you sure it was Sunday five o'clock when you wrote that letter for me?—I am sure it was on Sunday, immediately after chapel broke up.

Can you recollect any body else was present, except my father, when that letter was wrote?—There was no other person.

Jacky Reed again brought in, stated, on the Sunday night, about half past six o'clock, not quite seven of clock, I received a letter from Jack, I did not read it that night, because I had no light, it was brought by George of Dochfour; I read the letter on Monday at breakfast time; it began, "Dear brother Jacky, I hope this letter will find you well, and I write to you concerning our discourse, and I hope you will do according to your promise; this letter is written by Jack Gladstone, and all the rest of the brothers in Bethel chapel, and I hope you will do according to our agreement we shall begin at the Thomas, and hope, you will try your best up the coast;" when I read his letter, I did not approve of it, seeing it was writ by Jack Gladstone, and the brothers of the church; I thought it was about some church business; I then wrote to Mr. Smith, and sent Jack's letter enclosed in mine; I asked if this letter was a proper one for the members of the church to write; I received a letter in answer from Mr. Smith, which I gave my master; the letter from Jack which I sent to Mr. Smith I never got back.

Question by the Prisoner.—At the time I first spoke to you about this business, did you not tell me there was something relating to the work of the Coopers,? We were speaking about work; we bragged we could turn out two puncheons a day each man; and I said, after

Enclosures in No. 11. Proceedings of Courts Martial.

after I was sick the other coopers did not turn them out; this was on account of their sickness.

Did you not tell me, the coopers, before they heard the news of their freedom, used to turn out two puncheons a day, but would turn out no more than one afterwards?—I told him no such thing.

Did you not send the man George, of Dochfour, purposely to me for the letter?—I sent George to Jack for no other purpose, but to tell him I had not received his letter, and I did not send him to ask for or fetch or bring one.

Did you not send George to me, and request me to send another letter, as you had not received the first one?—I answer as I did before.

Do you recollect the second conversation with me behind Romeo's house?—The conversation about flogging the negro was behind Romeo's house.

Did you not say, that if the freedom had come out for the negroes, and the white people would not give it to them, we must have war for it?—It is a lie; it is not true.

Are you not aware that Quamina of Nabachlis, and Romeo of Souvenir, are witnesses to your having a perfect knowledge of the contents of the letter I wrote to you by the boy Edward of Le Resouvenir, and of the intention of that letter which was written on the Sunday before this began; I mean the letter which said you were to rise on the Monday, and said it was to begin at the Thomas?—It was in the letter that they should begin at the Thomas, no rising mentioned.

Did not the letter say you were to hold yourself in readiness to join on the Monday evening, and that I hoped you would take care of your part of the country?—It said in the letter, I hope you will be ready, nothing of the kind about my part of the country, it was in, all the brothers in Bethel chapel are ready and put their trust in you, and shall begin at the Thomas to-morrow evening, about seven o'clock.

Do you not remember you told me, that you wanted nothing more than your three days in the week, and that you would have it?—I did not.

Did you not desire me to seek into this matter as far as I could, and that when I got information I was to transmit it to you; and did I not in consequence write you that letter about my brother Daniel, and so forth?—It is not true; I did not desire him to do so.

6th Evidence.

Quamina, of Nabachlis, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—I am head carpenter on Nabachlis; I was at church at Le Resouvenir the day before this disturbance broke out; I was at forenoon service; Jack the prisoner was there; I saw Jack afterwards in the middle walk of Success; Sandy, Telemachus, Joseph and plenty others were there, I heard Jack say our freedom had come out, that they had not got it; the white people were hiding it from them, and that they must all lay down their tools, and after they had laid down their tools their masters would be able to tell them better; I left them then and heard no more.

Question by the Prisoner.—Do you not recollect when I was speaking to Jacky Reed behind Romeo's house on Le Resouvenir?—I was not present.

Do you not recollect that Romeo read a chapter in the Bible to you and Jacky Reed and myself, and that afterwards I took up the Bible and read it to you?—I do not recollect it.

7th Evidence.

Tom Gibson, of Plantation Dochfour, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—I know the prisoner; he was at church the Sunday before the revolt began on Success middle dam; after church I saw many people, Jack was amongst them; I heard him say we were to lay down all our tools, and not to go to work; I am not sure that I heard any thing more said by Jack, or in his presence.

8th Evidence.

Mingo, a negro, belonging to Plantation Nabachlis, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—I belong to Plantation Nabachlis, the Sunday before this business broke out I was at church; I saw Jack there; I saw him afterwards in Success middle walk; he called up all the people to inform them concerning the rising; he told the people they were to rise on Sunday night, they said no, we must not go on yet, and it was afterwards agreed to be postponed until Monday evening; Jack told the people that he would begin on Monday evening at his place at Success, and put the white people in the stocks all the way up as far as Mahaica Creek; the people said it would not do to put the white people in the stocks, Jack said he must now go on with it, after which the meeting broke up. The man Quamina, of Nabachlis, told Jack that the people in Barbadoes had risen in the same manner, and that too many of them had been destroyed; after that Jack said to me, what is agreed to already we must hold to. I did not see any more of Jack until Tuesday; I saw him pass through Nabachlis Tuesday morning, he had a crowd of people with him; Jack had a cutlass but no other arms, the others, some had muskets, some had swords, some had cutlasses, and some cutlasses on sticks for pikes; I heard Jack tell the people that he had sent down people to the Governor at Chateau Margo; Jack went up to Mahaica, and I went with him. I saw Jack at Mahaica; I was in the middle of the people who were fighting: I saw Jack there to give the command; from Mahaica we went down again, and on Bailey's Hope, a man of Mr. Hopkinson's came, with another man named Cornelius of Grovesteins, to Jack, and in my hearing told him that the Governor was at Chateau Margo; Jack replied, to-morrow I shall meet up with the Governor; I heard Jack order the people down to Bachelors Adventure, this was Tuesday afternoon, three o'clock, a great many of them scattered on their way down, and Jack gave directions they should all meet at Bachelors Adventure in the morning about seven o'clock. When the people collected, Jack came out from Elizabeth Hall with a paper in

Enclosures in N° 11. Proceedings of Courts Martial.

in his hand, he brought it to give to the colonels, the colonel inquired for the head man, and the people called for Jack, and he went out to the colonel; the colonel told them to lay down their arms; Jack and the colonel then discoursed together; Telemachus and Joseph of Bachelors Adventure, were there as well as Jack, &c.

Question by the Prisoner.—Are you able to call any witness to your assertion, that I said the people were to rise on Sunday evening?—Yes, Manuel, of Chateau Margo; Quamina, of Nabachlis; and Gilbert, of Paradise.

Have you any person to prove my saying I would send down to the Governor at Chateau Margo?—Yes; Tom of Nabachlis, Joseph of Bachelors Adventure, and John Louis of Golden Grove.

Are you sure that I was in the action against Lieutenant Brady?—I am sure I saw him there.

[The Court here adjourned until To-morrow morning at ten o'clock.

Friday, the 19th September 1823.

The Court having met pursuant to adjournment;

9th Evidence.

John Stewart being duly sworn, deposed as follows:—In consequence of some information I received from Dr. M'Turk, I caused the prisoner and his father to be arrested, and I tied the prisoner myself; I was at Dr. M'Turk's on Monday the 18th August, about half past three o'clock, when he ordered me to secure Quamina; but on my telling him that if Quamina was engaged in any thing Jack would be so too, he ordered me to secure him also. Dr. M'Turk is the burgher officer of that district. I went home and secured them both; I gave them in custody, one to each of my two overseers, Murchieson and Smith, and they took them away.

Question by the Prisoner.—At the time you were put into the stocks by the people, did I not take you out and bring you to your house, and protect you there?—I was not then put in the stocks, but in my way there he protected me from Richard and his party, and repeatedly held his hands over my head to prevent Richard making a blow at me; he prevented my being put in the stocks then; he took me back to the dwelling-house and guarded me there until he found the people were too strong for him; he then advised me to go into the house, as the crowd would not be so enraged when we were out of sight.

During the time of your residence on the estate Success, as manager, have you ever had occasion to find fault with me for my duty?—I never had occasion to punish this man on account of his work, and I never had to do with a better negro; I have been manager on Success nearly eight years, and he has been there all the time.

10th Evidence.

Malcolm Murchieson, being duly sworn, deposed as follows:—I was ordered by Mr. Stewart, on Monday the 18th August, to convey Jack to Dr. M'Turk, the other overseer was to take Quamina; we had got about three quarters of a mile when Frank and Windsor came and released them; about a dozen negroes came from the direction of the Success; Jack and Quamina turned back towards Success: Quamina was released, but I cannot say by whom.

Question by the Prisoner.—At the time Dick, Windsor, Beffany and others came to release me, did not Dick aim a blow at you with a cutlass?—Yes, he did.

Did I not prevent him from chopping you?—Yes, he did.

Did not Beffany strike you with his hand, after I had seized his cutlass from him?—Jack took the cutlass from him, but I am not sure whether Beffany struck me with his hand.

At the time you jumped into the Company Canal, when Richard and others were coming after you, did I not jump in after you, assist and lead you out, and prevent those people from attacking you?—Yes, you did; it was a deep canal.

At the time they were about to put you in the stocks, did I not take you away from the stocks and bring you to the house with Mr. Stewart?—Yes, you did.

During your residence on the estate, did you ever receive any impertinence from me, or did you observe any thing in my character that was wrong?—No; I did not.

11th Evidence.

Callais, a negro of Plantation Triumph, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:—I am a driver on Triumph, I am head driver; I know the prisoner, his name is Jack, of Success; I was on the Plantation Triumph when Mr. Nicolson was attacked; he had a gun. About seven o'clock on the evening of Monday the 18th August, a few people came at first, they had guns; Cobus and Quintus were there and had guns; some others I did not know had guns. A carpenter of Plantation Bonne Intention, named William, had a pistol. They asked the overseers to give their guns, the overseers asked why they were to give up their guns: they fired at the overseers, and threw lighted fire-sticks at the house, and some of them into the house. After that I saw Jack come. I did not see many people behind him when he first came. The Baron's people took away the manager's gun; it was Cornelius. Cornelius and Quintus laid hold of me, whilst another gave me a blow on the neck; Jack prevented them, and said, "don't lick him; don't trouble Callais;" Jack went away, and I saw no more of him.

12th Evidence.

James Spencer, being duly sworn, deposed as follows:—I am an overseer on Plantation Triumph; I was there when the house was attacked; it was about half-past seven o'clock on Monday evening the 18th August. The first party who attacked us might be about fifty; a second attack was made about half an hour after; they tried to get our arms, but we did not submit; they said they would go and bring Jack and more hands, and make

Enclosures in N° 11.
Proceedings of Courts Martial.

make us submit; a short time afterwards they returned; the prisoner was with them: they broke open the stable, and threatened to put fire to all the buildings if we did not give up our arms: Mr. Nicolson then came down, and gave up the arms. When we gave up the arms, they rushed into the house. I heard people addressing the prisoner in Dutch, and calling him Jack, and I considered him and Cobus as the leaders, Jack and Cobus were standing together in the gallery: I spoke to Cobus, and wished him to get the people out of the house; Jack began telling them to come out of the house, and not trouble any thing; I was close to him for about ten minutes; I had not known him before, but I am sure the prisoner is the man; he was armed with a gun on his shoulder, he had also belts across him of some description; when Jack came out of the gallery, some of the negroes remained in the house, and did not seem to wish to come out; one of them brought out a jacket belonging to one of the overseers; when the overseer saw him he tried to take the jacket from him, when, I believe, Jack ordered the negro to give it up; but of this I am not sure. I then heard Jack give orders to be off to Mon Repos.

Question by the Prisoner.—At the time the people wanted to put you in the stocks, did I not exert myself to prevent them?—I saw some who were active wished to put us in the stocks, and I believe Cobus and Jack prevented it.

Are you sure that I ordered the people to Mon Repos?—I am certain of it; he was about three feet from me below the gallery when I saw him motion with his hand, and order the people to Mon Repos. The party who came with Jack carried off all the arms and ammunition they found; we had concealed some ammunition.

13th Evidence.

James Keane, being duly sworn, deposed as follows:—On Monday the 18th August I was the manager on Mon Repos; about a quarter past eight o'clock on that night the assembling of the negroes took place before the house; I had four overseers with me; I had six or seven muskets, two fowling-pieces, and one case of pistols, and well off for ammunition; we determined on defending the house; first they were principally our own negroes and a few strangers; I and the overseers took our position in the gallery, and sent the drivers Louis and Midas to demand what they wanted; both came back and said the only answer made to the message was, they would work no more. I sent Louis back again to say, that if their inclination was not to work any more, they had better retire from the place; I would not want them to work any more until this business was settled, and if they had any thing else to say to advance one or two close to the gallery and speak: the answer was, they would not speak to me there, but let me come upon the dam. I then sent Louis again to desire them to disperse; that if there was anything like freedom I should give them a pass next day to go to the Governor if they chose, and not to be led away by the vagabonds from other estates, but to protect their master's property from destruction; also saying, that if they had the presumption to make an attack on the house, I was quite prepared to defend it, and resolved to do so until I was dead. a great part then seemed clamorous, some called out several times to me for to shoot, I said no, I shall not be in a hurry to do that, but when compelled the blood of those who were shot should rest on their own heads. In the mean time I dispatched a messenger on horseback with a letter to Mr. Cort, and they stopped him on the bridge and turned him back, striking him with their cutlasses, threatening his life if he made another attempt, on his return he told me there were many hundreds collected between the bridge and the centre of the estate, sitting and lying on the grass; the people before the house then dispersed, seeming satisfied with what I had said to them, and went towards the negro yard. I saw many of them turn round the buildings, and go to the side line of the estate. In less than an hour, a large body of negroes came in view from the side dam into the yard, and drew up in regular kind of body, evidently with the intention of showing me the number they had armed, for the moon shone bright on their muskets and accoutrements. They were scarcely formed, before one party of them rushed in a body towards the back and under the house, and the rest of them followed; the house was instantly surrounded in all directions, and they attempted under the house to come up the stairs, and gained the first landing-place. I shouted to them, that if they attempted to advance further, I would shoot the first of them; they remained in that way some time within bayonets length, several pointed at me through the railings; whilst I was defending the back stairs, four shots were fired at the front of the house, one of which passed quite close to me. I then fired at the people on the stairs, this was the signal agreed on before for the overseers to fire; the cooper of the estate, Richard, was with the overseers; Cæsar, a driver of the estate, did not use arms; the overseers and Richard fired; I then fired a pistol at the people on the stairs, and they went away, and I discharged my other pistol at the people in front, when those who had not muskets ready loaded, loaded and fired again; the negroes then went from under the house, having previously made an attempt to force the back door; they placed several markmen behind young trees and railings, at the distance of thirty yards, and continued firing for the space of twenty or twenty-five minutes; I believe there were four in the front of the house and at the sides, others they fired in all directions round the house; I kept returning the fire when I thought it likely to take effect; three men were going towards the megass-house, as I thought, to get fuel to set fire to the dwelling I was in, when I fired and shot two of them, one was wounded, belonging to the estate, the other, a stranger, died a few days after, the body then dispersed in the direction they had come. Some small parties attempted to cross the bridge to get into the negro yard, and I hailed them, and afterwards fired; I killed one, and I believe wounded two or three; the party had amongst them, to the best of my belief, at least fifty regular stand of arms.

Enclosures in N° 11.
Proceedings of Courts Martial.

The next day a deputation came to summon us to surrender our arms, and Tony came and advised us to do so; he came as ambassador from them; at that time, there were three or four hundred collected again, armed as before, and threatened to destroy the estate and all of us on it if we did not surrender immediately; soon after the military arrived, and they dispersed.

14th Evidence.

Louis, of Mon Repos, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:—I am driver on Plantation Mon Repos; I know the prisoner, I have known him a good many years; I did not see Jack, the prisoner, arrive until after the guns had been firing for some time; and when he came, he ordered them to cease firing; I was under the house, and I saw him about the yard; Jack said, you must not fire any more guns, you will hurt the white people, which you must not do. After I heard this order, I came back to Mr. Keane in the gallery; I did not see any more shots fired after that, the people immediately went away; I only heard three guns fired; Jack had no arms: somebody in the crowd cried, take away the gun from that damned rascal, but I cannot say who said it.

Mr. Keane again called, and to question from the Court.—The witness after he had delivered his last message, remained at the bottom of the house amongst the thick of the party, as he afterwards told me himself.

15th Evidence.

Tony, a negro of Plantation Mon Repos, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:— I am a field negro on Mon Repos; I know the prisoner, I have known him since I was a little boy; I stood at the sick-house door, when I observed the crowd collect before the manager's house; I saw Jack there that evening, about eight or nine o'clock, after throwing grass; I first observed Jack, he had a cutlass in his hand, and after passing through the yard, cried out, Come out! come out! are there no people here? at this time, Harry, of the Triumph, fired a gun at the manager's house, he stood at my right hand, and from this time the firing commenced; Jack had been gone, but I saw him before Harry fired; the white people returned the fire, which the negroes finding very heavy, dispersed, the negroes fired a great number of guns, so many, that I could not reckon them. Jack when he left me, walked down the road towards Triumph.

Question by the Prisoner.—Are you certain I was on Mon Repos before the firing commenced, or was it after the firing I was there?—Jack had been there, but had passed over a bridge leading towards the sick-house before Harry fired his gun; it was about the same time the firing commenced I saw Jack; Harry fired without any orders; I did not hear Jack say any thing.

16th Evidence.

Sam, a negro, of Mon Repos, says he has been sworn in before, and understands the nature of an oath, and being then duly sworn, deposed as follows:—I am a field negro on Mon Repos; I know the prisoner ever since we were little boys together; I was on the estate at the time the manager's house was attacked; I saw Harry, of Triumph, there, he had a gun; he fired it towards the manager's house; I stood at the megass-house, and from half to three quarters of an hour after the gun was fired I saw Jack; and Jack, on observing the fire of our manager killed some of the people, desired them to go away; I did not see Jack had a gun, but he had a cutlass; I saw him for half an hour or three quarters of an hour.

17th Evidence.

Harry, a negro, of Plantation Dochfour, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—I belong to Dochfour; I am a cooper; I know the prisoner; I have known him about three years; I was on Dochfour when the negroes came on Tuesday morning about seven o'clock; all the white people had left the estate; Jack of Success was there; Sandy of Non-Pareil, Paris of Good Hope, Dunbar of Clonbrook, were also there; Sandy, Paris and Dunbar gave orders; Jack came last; Jack said on coming on Dochfour, that he had come to look for Jacky Reed, that he was the cause of his having his hands tied behind his back, which he had never had before, and now he came to look for Jacky he could neither find him nor his master; Jack said after the business was over he should find Jacky Reed; Paris gave orders the estate must be burned because they could not find Jacky nor his master; Telemachus said yes; when confusion ensued; Jack had no arms, he had a whip; I got away from them and hid in my own house; I did not hear him give any orders or speak more.

Question by the Prisoner.—Did I not ask you whether you saw Jacky Reed show the letter I had written to him by agreement, either to his master or the manager?—He asked me that, and I said I had never seen the letter.

18th Evidence.

Charles Grant, being duly sworn, deposed as follows: viz.—I am proprietor of Bellefield; I saw the prisoner at Bellefield on Tuesday afternoon about three o'clock, he with a number of others from Mahaica side came to the door, and wanted me to sign a paper; a number of the party were armed, but the prisoner was not; he and Sandy and Paris spoke to me; the prisoner was one of the first who came up the stairs; I told them I had signed one in the morning, when they went away; I did not read the paper, but they said it was something, that they had behaved well and not injured the white people; it was something like the paper I had signed in the morning; they then went away; I considered myself safe when I saw the prisoner amongst them, from the way in which he behaved, and the command he had over them.

Question by the Prisoner. Do not you recollect telling me that you had been put in the stocks in the morning, when I replied I was not there, and had only then just come with that paper from home to get it signed?—I recollect saying I had been put in the stocks, and he said he was not there; I do not recollect the rest

As you lived five years as manager of Success before Mr. Stewart, have you any thing to say against my character?—He always bore a good character.

19th Evidence.

John Croal, being duly sworn, deposed as follows:—I was at Bachelors Adventure with part of the rifle corps which I command on Wednesday morning, 20th August; I saw the prisoner there; when I rode out to the assembly of negroes close to the bridge of the estate, I saw the prisoner; I did not know him before; he spoke to me; he came forward and said, I wish to hear what this master has got to say, and he commanded silence; I then represented to him how he had been deceived, that it was not the intention of Government that the negroes should be free; he said he thought it was very hard for the negroes to work all the week, and have no time to themselves, and that he wished for Saturday; some other negroes called out they wanted three days; Jack also said something about land, which I don't recollect; before I turned my horse to go away I said to Jack, then your demand is for Saturday; he said yes; I also addressed the negroes generally that they should lay down their arms; they said they would not; the prisoner was not one of those. I am not quite certain whether the prisoner had a gun or not; to the best of my belief he had; he had a weapon of some sort which he held reclined upon his arm. On the estate itself I suppose there were seven or eight hundred, as far as the eye could see I could perceive them in great numbers; after this there were shots fired on both sides.

Question by the Prisoner.—Did I not tell you I wished for Saturday to cultivate the little piece of land our masters had given us?—He said he wished it for the purpose of cultivating land.

20th Evidence.

The mulatto boy Edward being duly sworn, deposed:—I know Jack of Success; I was 'prentice under him. About a week before this began, Jack asked me to write a letter for him; I wrote the letter produced; Jack told me to put the name at the bottom, and what to say; I was in Jack's house when I wrote it; no other person was there; I wrote the direction [*Copy of the letter, with the proceedings.*] I folded the letter, and left it with Jack, and I saw him take it away, the day before I wrote this I wrote another of the same kind, but they laughed at me about it, and it was burned. I was at the forenoon service on the Sunday before this happened, and I saw Jack there.

Question by the Prisoner.—Do you not recollect that you and another boy of the name of Henry wrote a letter for me on the Sunday before the revolt broke out to Jacky Reed?—I was putting on my clothes in my mother's house when she was at church, and I saw the boy Henry writing a letter for Jack; I wrote one line of it; I began, and Henry finished it; it was to Jacky Reed.

Did you not about three weeks before the revolt broke out bring me a message from your mother, saying Mr. Hamilton wished to see me about the freedom of the negroes?—I did take a message about that time from my mother to Jack, that if they did any thing about this they were not to trouble any of the white people, but to say they were weary, and lay down their shovels and hoes, and sit down in the house.

Did you not about a week after bring another message from your mother, informing me that Mr. Hamilton was ready to deliver up his arms, provided we commenced to take them by force, and that if I would come over to him he would put me better in the way of doing this, but he wished to have a little more time to pack up his things?—The message I took was, my mother say I must go and tell Jack that Mr. Hamilton say he will deliver the arms to the negroes if they began to take them by force; that the negroes can wait a little till he pack up his things: there was nothing about going over to Mr. Hamilton.

Did you not bring a message immediately after this through your mother in the same manner, informing me that Mr. Hamilton had said, that if all the principal and brave negroes joined heartily together, and demanded of the Governor their freedom, that the Governor would grant it, because it had really come out?—I can't recollect that.

Did not your mother send you over several times afterwards to say Mr. Hamilton required to see me?—My mother did not tell me that, because Mr. Hamilton cannot bear Jack in his sight, because Jack keeps all the white people's wives. I heard him say to my mother, I believe you are one of Jack's wives: my mother told him no; and he was always cursing Jack.

On your oath, are you not conscious that Mr. Hamilton and myself were very intimate, and that these apparent curses were mere jokes?—I believed them serious.

21st Evidence.

Jacky Reed of Plantation Dochfour, being duly sworn, deposed as follows:—I only received one letter from Jack on the Sunday before the revolt, and in that letter there was nothing about setting fire to the canes or to the powder-house, or taking it by force.

[The Court adjourned 'till the following morning at ten o'clock.

Saturday, 20th September.

The Court having met pursuant to adjournment;

22d Evidence.

Doc. N° 2.

Henry, being duly sworn, deposed as follows:—I belong to Mrs. Vander Haas, and am a carpenter; worked under Quamina as an apprentice; can read and write a little. I wrote a letter for Jack to Joe Simpson about a week before this began; [*showed witness the letter, who acknowledged it.*] Jack told me to write it, and what to say; Quamina told me to put his name to it. I was at Jack's house when I wrote it; I wrapped it up and directed it to Mr. Joe Packwood who lives at Mr. Simpson's, Le Reduit. I wrote another letter to Jacky Reed

Doc. N° 1. Reed for Jack in Jack's house: the contents I do not recollect, it was something about this rising, and they were to take it by force. [*The letter produced* written by Edward, dated 13th August 1823, from Jack to Jacky Reed.] The Sunday before this began Edward and I wrote another letter for Jack to Jacky Reed in Susannah's house at La Resouvenir; it was to tell Jacky Reed that they were to begin all down by the Thomas, and Jacky Reed was to make the Mahaica side ready by Monday; I wrapped it up and directed it; Edward begun the letter and I finished it; I believe Edward wrote about four lines, I wrote more than Edward.

I saw the answer from Joe, Jack gave it me to read for him, it said they must stop a little for they would soon get a new Governor, and would hear what the new Governor would say to them.

23d Evidence. Joe Packwood, duly sworn, deposed as follows:—I received the letter produced marked 2, on the 14th August; I sent a verbal answer first, and afterwards one in writing; I kept the scroll or copy of the answer: I wrote first *the paper produced*, and sent the copy of it to Jack, dated the 16th August. Doc. N° 3.

Prosecution closed.

Defence. Prisoner being asked what he had to state in his defence, requested that a written defence, then ready, should be received by the Court: it was received and read.

The prisoner (on a question from the Court) said, I dictated the substance of the words there written down to Mr. Herbert; I am perfectly satisfied that what I have heard read are my own ideas, and it was my wish to have them written down.

1st Evidence. Charles Herbert, duly sworn, and called by the Court:—I am a barrister of the Middle Temple; I was called to the bar in June 1819; I have been practising here ever since with the exception of the Trinity term.

I wrote the defence just read, except the last page; the last words I wrote were, "I humbly throw myself on the mercy of the Court." I finished that last night; I returned this morning in order to enlarge on the idea which the prisoner suggested, that the freedom of three days had been put into his head; I then found Mr. Edmonstone had taken down the remainder for me. Every thing which is written by me was the idea of the prisoner; I not only endeavoured to express the prisoner's meaning, but in one case I even expressed his own words, which are marked on the margin of the defence.

2d Evidence. Robert Edmonstone, duly sworn, deposed:—I am a merchant in George Town; I am the gentleman to whom the prisoner alludes in his defence; I visited the prisoner this morning; I go round the gaol every morning; I found on Mr. Padmore's table what Mr. Herbert had written, and I read it over; I recollected many things he had before stated to me in repeated conversations he had not mentioned to Mr. Herbert; in going round the prisoners I went into his cell among the others; I told him I had seen a defence, but there were many things not there he had previously stated; I asked him if they should be stated, and he said he had no objections; I then spoke to him of several passages of scripture selected for their reading which they had spoken of before; I put them down for him with the intention of showing them to Mr. Herbert when he came; I went to Bristol; I would not have given it Mr. Herbert if Bristol had not said it was true.

3d Evidence. Active, duly sworn, deposed:—I recollect seeing Cato at Jack's house. I heard him say they were cowardly people if they did not seek for their right, it was all before them if they did so. I went with York to take a letter from Jack to Joe Simpson; this I did about ten days before the disturbance. I saw the prisoner at Plantation Triumph, he had a cutlass, and am sure he had no gun; I saw Jack do nothing at Mon Repos, except stop the firing.

4th Evidence. Dumfries, duly sworn, deposed:—I saw Cato at Jack's house about a week before this began; Cato brought a message from Joe, saying Jack was to send two men to him. I was present in the cooper's shop on Success when the little boy Edward brought a message to Jack from Susannah: the boy said it was from Mr. Hamilton, but through Susannah; the message was, that Jack was to choose three sensible negroes and come over to Mr. Hamilton with them; I heard the boy say also, that Mr. Hamilton was ready to give the negroes powder and gun provided they promised not to hurt him.

5th Evidence. Daniel, duly sworn:—I am servant to the Governor, and was made free by the colony. I saw Jack at Camp House in July, on a Sunday, before this began; he came to inquire for me; I went to him; he came to know from me, as Governor's servant, if I had heard any news; I asked him what news; he said he heard all the slaves were to be made free; I told him I didn't hear any such news, nor do I suppose it can be; he said the reason why he asked me, was, because Dr. M'Turk came up the coast with a paper from the Governor, desiring that the head men of the estate should be brought together, he meant the head slaves; he read to them, forbidding them, as far as he could understand, from coming to town on Sunday without an overseer or a pass. He told them they were allowed to keep meeting on the estates from seven to nine, and were at liberty to go to the church service when they like, and forbidding to come with any complaints to town. I told him I knew of no such thing. He asked me whether I could read and write. I knew the prisoner some years ago when I was servant to Governor Bentinck, and we were both beginning to learn to read and write together; I took a Bible to show him how I could read; I read the 3d chap. 2d Ep. Paul to Timothy; he read a verse of one chapter, which he said was read sometimes in the chapel where he went to; that all things were together for good to those who love God. When he spoke to me about the people being free, I told him to beware, for I knew of several people having lost their lives by that notion; when the Governor made a proclamation, after the business in Barbadoes, he made me a present of one of them, and I knew it from that; I was learning to read at that time. I have no connection with the chapel on the east coast, I go to town chapel. I do not know Quamina, nor Seaton; I know Bristol of Chateau Margo, I knew him from living with Governor Bentinck; I am not sure if I know Paris; I know Cato, free man, came many times to Camp House; was a butcher.

6th Evidence. Bristol, duly sworn, deposed*:—I was present when Jacky Reed related to Jack that they had made one puncheon in place of two, to try whether their freedom had come out. I am a deacon of the church at Le Resouvenir; I saw Quamina in company with Parson Smith the Sunday before the rise took place in the parson's house, a little more than half an hour.

7th Evidence. Seaton, duly sworn:—I belong to Mr. Smith's chapel, am a member and deacon. I heard Susannah tell Jack that Mr. Hamilton said, if he would bring three or four sensible people to him, he would put them in the way of obtaining the free paper that had come out for them. I saw Jack on Plantation Triumph, he had a cutlass, but, I am sure, no gun. I heard the firing of guns at Mon Repos, as I was on the side line; Jack was at the side line, he went to the building of Mon Repos, and there were not more than two or three guns fired after he arrived there; I saw him prevent the people from firing; I saw him at Bachelors Adventure, Clonbrook and Nabaclis, and in all those places he had a cutlass, and no gun; I saw him prevent the people from beating and ill-using Calle, the driver of Triumph; I saw him prevent the people of Triumph from putting the manager and overseers into the stocks; I did not hear him give any orders to the people of Mon Repos, I was close to him, and would have heard them had he given any.

The witness Susannah was called by the prisoner, but did not attend, having a fever, and not being in a fit state of mind, as reported by F. Webster, surgeon of the prison.

8th Evidence. Lieutenant Colonel Leahy, duly sworn:—I am almost positive, indeed certain, I saw the prisoner at Bachelors Adventure; I gave him a proclamation of martial law, at the same time explaining to them that if the negroes went to town to see the Governor they would be hanged, and that if they had any thing to communicate to him, it was to go through me; a man, whom I don't know, proposed to tie me, when the prisoner and some others prevented them.

[The prisoner being desirous of the evidence of Susannah, who was unable to attend this day from sickness, the Court adjourned till Monday morning at ten o'clock, to see if by that time she would be sufficiently recovered to be examined.]

Monday, 22d September 1823.

The Court having met pursuant to adjournment;

9th Evidence. Susannah, a negress of Le Resouvenir, says she understands the nature of an oath, and being then duly sworn, deposed as follows:—I belong to Mrs. Vander Haas. The first message I took was about two or three weeks before this began; I spoke to Jack, he asked me if Mr. Hamilton knew any thing about this affair; I asked him what affair; he said I know you women very well; I told him that Mr. Hamilton told me that the creoles that were born afterwards, they will be free by-and-by; I told him that Mr. Hamilton told me that if any body undertook this work about freedom it must be a good sensible man. On Monday that this began I sent Edward to Jack; I told him to tell Jack that he had better wait till the coffee crop came in before they began. On the Sunday before Jack told me they were going to begin, he said they were going to work no more; on the Sunday night I told Mr. Hamilton that I heard the people say they won't work; he says, I don't care whether they work or not, but I will go and complain to Dr. M'Turk; I then asked Mr. Hamilton about the freedom, and begged him that he must buy me; he told me he could not buy me, as it was the same thing as if he threw his money in the trench, by-and-by you will all be free; Mr. Hamilton said he was sorry they did not wait till the coffee crop came in, because he would not have time to vendue his things, and that he was going away; I heard him also say this before the Sunday night; at the same time, or two or three days after, Mr. Van Cooten gave him (Mr. Hamilton) his discharge; I told Mr. Hamilton of it early on Monday morning before he came out of his bed; I told him they would not work; Jack told me on the Sunday, to-morrow they won't work, and will make all the women frightened. Seaton and Jack were together at my house on the Sunday; I told him, Mr. Hamilton said they must be very clever people to carry on this business, but may be if they went to him he would tell them better; Mr. Hamilton told this to me, but he did not tell me to tell it to Jack. I told it of my own self.

---

* The evidence Bristol was particularly urged and recommended by the court not to say any thing which could at all criminate himself, as it was not unlikely he might be tried himself. This was fully explained to the witness.

Enclosures in No. 11. Proceedings of Courts Martial.

The prisoner addressed the Court in these words, "I know that I have been guilty of this rebellion, and that I deserve to be convicted of it; but I hope from the leniency I have shown, I hope the Court will recommend me to mercy, and speak to the Governor in my behalf."

Defence closed.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Jack, as well as the statement made by him in his defence, and the evidence adduced in support thereof, is of opinion, That he, the prisoner Jack, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Jack, to suffer death, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut. Col. Com. &c. President.

V. A. Heyligèr, Judge Advocate.

(Approved) *Jno. Murray*, Com.-in-chief.

556. Demerara, received 1st May 1824.

(Inclosure 2.)

Prisoner *Jack's* STATEMENT in Defence.

Witnesses. Active, Dumfries.

Active.

About seven or eight weeks before this rebellion broke out, Cato mentioned to my father in presence of Active something about our freedom being come out, and that it was told by Joe, Mr. Simpson's boy. Cato, my father, Active and Dumfries, then came to my house, and Cato told it to me in their presence. He also said that Joe Simpson wished us to come to Mr. Simpson's place at Wittenburg, as he wanted to see two or three of the brothers of the church, and that he would put us in the way how to get at it, for that we were too cowardly here that our right was all before us, and we would not seek for it. Edward, the little boy, wrote a letter by my father's direction to Joe Simpson, stating that we would be very happy and willing to hear what he had to say. Active and York were the bearers of this letter, and Mars of Van Cooten went with them to Joe Simson, they called for him on their way down, as he had received a similar message. We received an answer from Joe Simpson in writing, that we were to be free by what he had seen in his master's papers (whether he meant a newspaper or letter I cannot tell); that Mr. Wilberforce was doing his best for us, and that if we would wait a little, a new Governor was expected very soon, and if he came and would not give us what is allowed to us, that we must all apply to him, and that he would inform us of the regular way of getting it.

Daniel.

Susannah.

The first message from Joe Simpson was about seven weeks before the revolt. My father's letter to him was the week before the rebellion, and the letter from Joe was read by the side of the chapel at Plantation Le Resouvenir, the Sunday of the 17th August. In the mean time I had been inquiring amongst other friends, and in about two weeks after I had received the first message, I went to Daniel, the Governor's servant; he is a church brother, of the Methodist persuasion. I inquired of Daniel if he had heard of our freedom being come out, and I told him he must inquire and seek into it, and let me know whether it was true or not, which he promised to do; he said he had heard a little of it; if it was a thing God ordained for us, it will be; but it is a good thing to have a little patience. York also, of Success, declared that the overseer of New Orange Nassau had stated that we were free; that all the great men at home had agreed to it, except our masters. Providence, of New Orange Nassau, confirmed what York said, and that it was told him by the overseer. I called upon Tally, Mr. Hyndman's servant, the same day that I saw Daniel, the Governor's servant. About a week before I saw Daniel, Susannah, Mr. Hamilton's housekeeper, spoke to me outside Bethel chapel, it was in the morning of a Sunday, about nine o'clock, and told me, that Mr. Hamilton had declared we were to be free, but he did not think it would be given to us, unless all the sensible people went by force about it, and would not give it up without a positive promise from the Governor. I asked what she meant by force; did she mean that we were to fight for it; she said no, not to fight, but take away the arms, and that as soon as we had done so, we were to keep possession of them, and turn all the whites off to town; as for himself he did not care, as he was going off the country, and he wished we would give him a little time to get away his stock and all his things. From that period until the Sunday before it broke out, no regular plan was laid. I myself held no communication with Parson Smith; but on the Sunday, 17th, when the plan was arranged in Success middle walk, Quamina went to Mr. Smith, who told him we must try to stop a little, until he could get a paper that was to be read to us. When we laid our plan, Quamina, Seaton of Success, Manuel of Chateau Margo, Paris, Telemachus, Sandy, Quamina of Nabaclis, and Peter, head carpenter of Le Resouvenir, were the principal sensible men; there were a great many others from Success and Le Resouvenir, and the neighbourhood; there were very few upon Success and Le Resouvenir, who were not deep in it, and I will state to the Court, if they think proper to ask me, the list of those whom I know to be principally concerned. Previous to the meeting after morning and before forenoon service at chapel, I went to Susannah's house, in consequence of a message received by me from her son Edward, that she wished to see me. Seaton was present when she told me in her own house, that if one or two sensible people would come to Mr. Hamilton, he would put us in the way of it. Seaton, I shall call as a witness. I then wished to see Mr. Hamilton, but found him engaged with two gentlemen, walking up and down in the hall; after service I returned, and asked her what Mr. Hamilton said. She answered, he was engaged, and could not see me; but

Bristol.

Witness Seaton to be called. Susannah, Edward.

Enclosures in N° 11.
Proceedings of Courts Martial.

but Mr. Hamilton said, we must go by force, and collect as many sensible people as possible; that if the Governor should come to know the reason of it, all we sensible people are to come forward and speak, for it is so and cannot be hindered if we are determined; that if we were not a parcel of cowards we would have had it already, for it had been ordered for some time past, by this I understood, our freedom, or at least three days in the week. I had received messages several times previously from Susannah, by Edward, the little boy, her son. One message was, that Mr. Hamilton wished to see me about the freedom of the negroes,. Dumfries heard the message, for we were always working together in one logie or shop, and the cross-examination of the boy Edward will show, that he was in the habit of carrying messages of some kind or other.

Witnesses:
Edward
Dumfries.

The second message related to the arms which Mr. Hamilton promised to deliver up, provided we would take them by force; this is in some measure proved by Edward's evidence, who corroborates about the packing up the things, and all the other messages were of the same kind. It was settled that Billy and Jacky Reid were to command at Mahaica.

Dumfries, witness about the sensible people.

Joseph, Telemachus and Sandy at Bachelors Adventure, they were to go upwards to meet Jacky Reid, and downwards to meet the other leaders. Paris from Good Hope, Goodluck belonging to Mr. Peter M'Clure, and Frederick of Turkeyen, were to have mentioned it at the Thomas. Goodluck said, that he knew the way to come at the fort, and that if the people would all agree, he would come. Paris told me a week before that it was settled at the Thomas, they however would not agree; I myself told him, that if they did so, the troops would murder us, he said, that is the only place where we all ought to go and die; Active was witness to this, and has been examined against me and cross-examined. The plan then was to take the arms, and confine all the white people in the stocks for fear they should escape to town, and send the troops up before day-light, and that they should all be permitted to go to town the next morning. After the whites had gone to town, we were all to provide ourselves, and wait until the Governor would come up or send up to know why we acted in such a way, and if he did not come or send, we were not to trust to go to town, but remain quiet on the estate, and not work. We did not expect any body would know of it until the next morning, and we were desirous that no injury should be done to any of the whites, that no complaint might be made against us. Joseph of Bachelors Adventure, and Bristol, proposed to break up the bridges, and it was agreed that they should not be broken up until they saw the troops were coming up. Gilles, a field negro, formerly belonging to Mon Repos, and now a field negro on Plantation De Willem, agreed to get as many estates to join as he could, down the west coast, and to communicate with us, but we never received any message from him. Goodluck was appointed to communicate the time of rising to the Thomas; I saw him on the Sunday 17th, and he told me that he would inform them that they were to begin on the Monday evening on the Thomas, and to go up all the estates on the east coast; he also engaged to speak to four boat captains of Leguan, but I believe he only spoke to two. The Thomees were to come up the coast to us and not to attempt the town.

Active, witness.

Witnesses
Seaton & Hay

Bristol.

My conduct at Success has been proved by the manager and the overseers; and although I had been recently tied, and for the first time in my life, and much irritated, yet I protected the manager and overseer from being injured and put in the stocks. Richard has been a runaway for several months, is extremely violent, and will do harm yet if left at large; I recommend his being secured at any expense or trouble, for he will be a rallying point for all the disaffected negroes, he is not to be trusted. He is a Ganga, but speaks the Coromantee.

Refer to Mr Stuart and to Mr Murcheson.

Active and Seaton, evidence at Triumph that I had no gun

Witnesses:
Active and Seaton.

Colonel Leahy.

I admit the whole of Callais' evidence to be true; but with regard to Mr. Spenser's evidence, it is partly right and partly wrong; I was there, but I deny having had a gun or belt, and I never had a gun in my hand the whole of that evening, night or next day, it was a cutlass which I carried. I saved Mr. Spenser from the stocks, but did not give the orders to proceed to Mon Repos, it must have been some other person; the negroes and myself went on to Mon Repos, and when we reached there, we met the Baron's people, and a great crowd; many were firing In order to stop the firing, I went round by the engine-house, close by the sick-house, for I was afraid to approach near, in consequence of a sharp fire which was kept up. I heard the fire when I was near to the buildings. From the sick-house, I went straight to the manager's yard. I did succeed in stopping the firing close by the house, as Louis states, and it is there he must have seen me. I did not stay at all, neither had I a gun. To prove that I took no active part, except in stopping the firing, I refer to my witnesses, Active and Seaton. Just as I was by the sick-house, I called to the negroes to come away; I might have said "come out," as stated by Toney. I do not think that more than two guns were fired after I got into the yard, and I succeeded in getting them away; I positively did nothing more at Mon Repos. When Colonel Leahy, of the 21st regiment, was at Bachelors Adventure, I was at plantation Elizabeth Hall, and was called by the people to bring the paper which had been signed by the different gentlemen up the coast that they had been well treated, I passed through the people, and went up to Colonel Leahy, and gave it to him; he gave me in return a printed paper of the Governor's, which he read, and desired us to go home and tell all the people to deliver up all the arms to the manager on the estate. I told him I was not living up the coast; and he said never mind, go home. While we were talking, Prince came up, was very violent, and wanted to tie up Colonel Leahy, and said not to let him go, but Joseph, Telemachus and

Sandy; who had the charge of all the people up the coast, would not agree. The Colonel's discourse I thought quite regular. Colonel Leahy was still amongst us, when Captain Croal came up and wished to speak; he asked if any of the head people knew him; I went up to him as the people were making a noise, as he stated; what he says is very correct, except as to the gun, which was a mistake; it was a cutlass, and I carried it inclined along my arm, just as he showed the Court. When he left us I went to the bridge; I told the people that I was going home, and that they all must go home; and I walked boldly down the road about half a mile, without any fear, after I had got the Governor's pass, when I heard the firing. Some people called to me, and I returned, and found that Hamilton of Success was wounded; a man named Orange was bringing him; he was his brother-in-law; and with the assistance of some others (Quaco of Chateau Margo, and Dick of Success,) we carried him to New Orange Nassau. I returned home. On that very evening, about eight, my father Quamina returned to us at Success back dam, with a basket containing bread and two bottles, I believe, of porter; I ate some bread, but drank nothing; my father said that he had been to Parson Smith, who informed him, "now that we had begun we must go on with it." I never told in presence of Goodluck that I had been in the fort; I was simply explaining to Bristol and others that Daniel lived there: call Bristol to prove this.

Witness Bristol.

Mr. Edmonstone came on Friday with Baron Grovestins, sent me a message that I must bring all the people to the buildings, and he hoped we would be all willing to receive him. Many of us came. The next day Mr. Edmonstone called himself alone, took off his sword; we went into the dwelling-house, and when he was coming away he wanted me to come with him to town in the chaise; I felt afraid, and went to my house under a pretence of getting clothes. I was afraid to give myself up, and went into the Bush with my father and many others. I have now explained and declared every thing I know. The plan of signing of the paper by the different gentlemen was a plan that we had adopted to send to the Governor. I went up to Dochfour on purpose to see Jacky Reed, and I was very angry with him, for he had made a regular agreement with me.

Witness Bristol to prove this.

Jacky and I had had a regular discourse, in the presence of my father Quamina and Bristol, about freedom being come out, Jacky said it was very true he had made a trial, and in this manner; before the news came, the coopers used to make up two puncheons out of dressed staves every day, but since the news had come they had only turned out one, to see if their master would be satisfied. He said he had been sick "or laid up" for two or three days, that the blame might not fall upon him, and the white cooper had told his master about it; that his master had tried them a second time, and had told them, if you don't choose to work you may go sleep. I have no witness to prove the agreement, but it was settled that when every thing was fixed I should let him know, and he was to hold himself in readiness, and get all the other estates nearly provided.

Prisoners words.

But, gentlemen, if I had made no agreement would I go and write such a letter to a man I never agreed with; and I beg you, gentlemen of the Court, to bear this in mind, and of the way Jacky Reed behaved in this Court after being sworn. I was acquainted with him from his being a teacher, and before I knew any other on that estate. He rules over all the people on Dochfour, and many neighbouring estates. Do you think that man tells truth? Gentlemen, whatever my sentence is, I submit to it with resignation. I have lived all my life upon Success, my master's estate, where I was born thirty years ago, and during the whole time I have been well treated and have done my duty contented and happy. I cannot and do not deny that I have been concerned in this rebellion; but I declare solemnly, that I would not have acted thus had I not been told that we were entitled to our freedom, and that it was withheld from us by our masters. Not only was every deacon and member of the church acquainted with it before it broke out, but even Parson Smith knew the whole plan. It was told him by my father and Bristol on Sunday the 17th August; Bristol told it to Manuel, and Manuel told it to me.

As witness, Bristol.

Ask Bristol, he will tell; Parson Smith wanted us to wait; if he did not know what we were going to do, would he have told us to wait?

I appeal to you and to the evidence before you concerning my conduct, whether I have not prevented every mischief I could, and whether I have not even saved some lives; for if blood had been once shed, no effort could have stopped it afterwards. Richard and Hamilton were the head men at Success. I never headed any of the gangs; but every one at Triumph and Mon Repos knew me and attended to me; when I stopped the firing, the people there paid me great attention, and I exerted myself to prevent any person being hurt. I beg the Court to examine my witnesses, and particularly Susannah, and to see if I have spoken the truth. I never carried a gun, but I will say fairly that I had a cutlass, which I carried the whole time. I hope my witnesses will prove that I have spoken the truth, for such I solemnly declare to be what I have related, and I humbly throw myself upon the mercy of the Court. I am satisfied I have had a fair trial. I have seen the anxiety with which every member of this court-martial has attended to the evidence, and the patience with which they have listened to my cross-examination of the witnesses. From the hour I was made prisoner by Captain M'Turk up to this time, I have received the most humane treatment from all the whites, nor have I had a single insulting expression from a white man, either in prison or any where else. Before this court, I solemnly avow, that many of the lessons and discourses taught, and the parts of scripture selected for us in chapel, tended to make us dissatisfied with our situation as slaves, and, had there been no methodists on the east coast, there would have been no revolt, as you must have discovered by the evidence before you; the deepest concerned in the revolt, were

Witness Bristol.

were the negroes most in Parson Smith's confidence, the half sort of instruction we received I now see was highly improper, it put those who could read on examining the Bible, and selecting passages applicable to our situation as slaves; and the promises held out therein were, as we imagined, fit to be applied to our situation, and served to make us dissatisfied and irritated against our owners, as we were not always able to make out the real meaning of these passages; for this I refer to my brother-in-law Bristol, if I am speaking the truth or not. I would not have avowed this to you now, were I not sensible that I ought to make every atonement for my past conduct, and put you on your guard in future.

Witness Bristol.

New Gaol, George Town,
20th Sept. 1823.

(Enclosure 3.)

Enclosures in N° 11. Proceedings of Courts Martial.

Against Ralph.

556. Demerara. Received, 1st May 1824.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant, and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 6th September.

President, Lieut. Col. Stephen Arthur Goodman, Com^r of the George Town Brigade of Militia,

Members.

Lieutenant-colonel Charles Wray, A. D. C. to His Excellency the Commander-in-chief.
Major Thomas Frankland, Com^g Prov^l Batt. Dem. Militia.
Captain Thomas Fairweather, 21st Reg^t.
Captain Charles Playter, 1st Batt. Dem. Militia.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Edmund B. Gapper, Royal Artillery.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt Dem. Militia.
1st Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

Captain Charles Playter, being ordered on another duty, Captain Richard Daniel, 21st Regiment, was ordered to attend.

THE Court being duly sworn; and W. Y. Playter, esq. having been sworn to interpret faithfully; proceeded to the trial of Ralph, a negro belonging to the Plantation Success, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Ralph*, a negro of Plantation Success.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Rich^d Creser, Assist. Judge Advocate.

Plea:—To this Charge, the Prisoner pleaded Not Guilty.

1st Evidence.

John Stewart, manager of Plantation Success, being duly sworn, deposed as follows; viz.—That he knows the prisoner; that his name is Ralph, and that he belongs to Plantation Success. On Monday night, the 18th August, I was in the gallery of the dwelling-house, about five o'clock in the afternoon, when a large body of negroes came up headed by the head driver Richard, who was absent for two or three months previous to this; when they came close to the step I told them to stop; the driver Richard said no, no, we must have you; there were a good many other negroes belonging to the estate, who came up and wanted to keep them back, but they were overpowered by Richard's party, till at last I was surrounded by them, when one of them took hold of my feet, others took hold of the collar of my coat, forced me down the step, and carried me as far as the sick-house; by that time they had taken away all the ammunition and arms; some of them then insisted that I must be allowed to come back to the house; I did do so; Jack and Quamina and others followed me; there was still a large mob behind me, and wished to have me back into the stocks, or killed; Jack advised me to go into the house, and when I was out of sight they would not be so enraged; I did so; and he assured me that as much as he could help nothing should be done to me; I was not a minute in the house when Jack locked the door and I found that he disappeared, and that the house was surrounded with a guard; now and then they used to make violent threats that they should be at us, me and the

Enclosures in N° 11.
Proceedings of Courts Martial.

overseers; we were in that way locked up in the house until Captain Simpson and four of his party came into the yard; Captain Simpson ordered his party to load, and was going on down the negro yard; when we observed that he had so few people with him, and sang out to him not to fire at the people; in the mean time we broke one of the jalousies and came out; told Mr. Simpson that they had taken all the arms and ammunition from us, and that he had better not enrage them, or fire at them; he instantly ordered his party to retreat; I asked him if he was going to leave us in this manner; he told me, you get behind me, and I tried to do so, and the overseers tried to get behind two of the rest; I followed Captain Simpson for twenty-five roods; I had one leg behind him and the other was on the ground; by this time a party of the negroes got before him; when he observed that, he told me to let go his horse or else he would cut me off with his sword; I did so, and I was not a minute or half a minute away from him when he was fired at; I leaned back, and was seized by the prisoner by the collar with one hand, and with the other hand he held over my head a cutlass; he carried me to the sick-house, with a good many other negroes, that were ready to assist if I made any attempt to get away; when I came to the sick-house he told me I must go into the stocks; I did so, put in one foot, and he said that I might leave out the other foot; another negro, named Britton, belonging to Plantation Success, ordered my two feet to be put in, and that I must be shoved further off from the overseers, which was done. Most of the negroes that were about the sick-house then went away except a guard that was left; the prisoner stopped some time, and assured us that nothing should be done to us that night. I was there in the stocks until released by Captain Stewart, Captain M'Turk, and some other military people. The prisoner held me by the collar from the time I was seized until I was seated on the stocks bench; another man had hold of my arm; the negroes who came up in a body were all armed with cutlasses. The prisoner is a jobber on the estate, he has had a sore on his leg for some time.

2d Evidence. Malcolm Murchieson, being duly sworn, deposed as follows; viz.—He is overseer on the estate, and that he is the same witness who was examined on the trial of Frank and Windsor. I know the prisoner, his name is Ralph. I was in the stocks at the same time that Mr. Stewart was; I saw the prisoner when I was in the stocks; he, the prisoner, put me in the stocks; the prisoner had the stocks keys; I saw the keys in the prisoner's hand, but I cannot say who locked or unlocked the stocks; the prisoner went in and out of the room three or four times whilst I was in the stocks, I saw no more of him; the prisoner seized me before I was put in the stocks; I cannot say whether the prisoner was armed or not.

Prosecution here closed.

The prisoner being called on for his defence, stated as follows; viz.—At the time they put these people in the stocks I was in the sick-house; I saw Mr. Stewart put his foot in the stocks of his own accord; he put in only one foot, and I told the negroes that were around him, not to trouble that white man. Mr. Murchieson, who was in the stocks, asked me for water and I gave it to him, and I asked Mr. Stewart if he wanted a pillow, and that I would fetch it for him, but he refused.

Defence closed.

Opinion and Sentence. THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Ralph, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Ralph, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Ralph, to suffer death, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut.-col. Com. T. B. M. President.

Richd Creser, Assist. Judge Advocate.

(Approved) *Jno. Murray,* Com.-in-chief.

Enclosures in N° 11.
Proceedings of Courts Martial.

556 Demerara.
Received,
1st May 1824

(Enclosure 4.)

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colonies of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 25th of September;—

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Com^{t} of the George Town Brigade of Militia,

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Com^{g} Prov^{l} Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain William Lyng, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain Donald Campbell, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

Capt. William Killikelly being unable to sit this day, in consequence of indisposition, Capt. George Buchanan, 1st Battalion Demerara Militia, was ordered to attend as a Member.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of the negro QUACO, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief, in and over the united colony of Demerara and Essequibo, &c. &c. &c. against the negro *Quaco.*

Charge :—For having on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony, and also for aiding and assisting others in such rebellion.

V. A. Heyliger, Judge Advocate.

Plea :—To this charge, the Prisoner pleaded Not Guilty.

1st Evidence.

Alexander Simpson, being duly sworn, deposed as follows; viz.—I am Captain of the cavalry; on the evening of the 18th of August, the night of the rebellion, I left the General at the Brothers, and galloped up to the Success with two file of men; when I got to Success I found the house shut up, and no appearance of whites; the negroes were walking about in considerable numbers, with cutlasses in their hands. I called out, are there no white men on this estate, or where are you? Mr. Stuart looked out from a window above stairs, and said, " Captain Simpson, for God's sake don't fire at my negroes, they are doing no harm." I had previously fired at one on a bridge leading to the house. I said to Mr. Stuart, if they are doing no harm, why don't you come down stairs; upon that I thought I heard them breaking open a door or jalousies, when Mr. Stewart came out with two or three overseers. At this time I observed the negroes coming near the horses heads, and they made at the reins with their cutlasses, and we were obliged to keep them off with our sabres. I backed my own horse, and Mr. Stuart got up, but soon fell off again. The negroes were thick on the bridges, and I ordered the cavalry to retreat; whilst doing so, a man, very much like the figure of the prisoner, but I cannot swear to him, about ten paces distant, took a very deliberate aim at me, and fired, but missed; as he fired, he exclaimed, "Ah! me have um." There were five or six muskets fired at us. I saw the prisoner in custody some days after; I asked him if he was the man who fired at me at Success; he said, yes; I threw away the gun. I asked him what he meant by that; he explained, that he had discharged the gun and thrown away the contents, by firing; he said the musket was put into his hands by Richard, of Success, to drive the buckras away; that the man who put the gun in his hands slapped his face for having missed, and took the gun from him. He took aim at me as I advanced, and let me pass a little before he fired; I kept my eye on him thinking he would hit me.

2d Evidence.

William Roberts, being duly sworn, deposed as follows; viz.—I am a volunteer in the cavalry; I saw the prisoner on Plantation Le Reduit on the 4th September, he was in custody; he stated that he recollected the troopers coming to Success, on Monday the 18th of August, they were five in number; that Dick the engineer of Success had given him a gun, and desired him to go and drive the soldiers; he acknowledged that he had fired his gun at the soldiers as they passed; he afterwards said he fired at the first one; he stated the spot where he stood at the time to be somewhere about the boiling-house, near to a

Enclosures in Nº 11. Proceedings of Courts Martial.

canal. I think Capt. Simpson said to him, it would be better for him to confess the truth, but he held out no promises, or made use of any threats. Before I delivered the prisoner into the custody of Captain Simpson, who had sent me to take him, he acknowledged to me firing the musket at a soldier. I told him that Jessamin had been taken, who knew all about him, but I did not tell him what Jessamin had said, and on that he related what I have before stated; but nothing in the shape of a threat or promise was used.

Captain Simpson being again called, stated, the place where the prisoner fired at me, was at the end of a house, and near a trench.

Prosecution closed.

Defence.

The prisoner being asked what he had to say in his defence, stated:—On the night of the insurrection I was in my house at Success; I saw Capt. Simpson come; I went out on the dam, and a man named Dick went into the cooper's shop and took up a gun, which Dick gave to me; I did not know whether it was loaded or not, after that I went into a cane-piece, close to a canal, and I fired the gun into the cane-piece; Jessamin had a gun, went somewhere to fire, but I did not see him.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Quaco, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Quaco, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Quaco, to suffer death, at such time and place as his Excellency the Commander-in-Chief may deem fit.

S. A. Goodman,
V. A. Heyliger, Judge Advocate. Lieut. col. Com. &c. President.
(Approved) *Jno. Murray*, Com.-in-chief.

(Enclosure 5.)

Against Duke.
556. Demerara. Received 1st May 1824.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant, and in pursuance of an order of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 27th of September;—

President, Lieut. Col. Stephen Arthur Goodman, Comᵗ of the George Town Brigade of Militia.

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comˢ Provˡ Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain William Lyng, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain Donald Campbell, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia

Captain Arthur M'Kenzie, 1st Battalion Demerara Militia resumes his seat as a member this day, Captain Thomas Fairweather, 21st Regiment, being enable to attend from indisposition.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn, to interpret faithfully; proceeded to the trial of Duke, a negro of Plantation Clonbrook, on the following Charges preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Duke*, a negro of Plantation Clonbrook.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the law in force within this colony, and for aiding and assisting others in such Rebellion.

V. A. Heyliger, Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence.

Thomas, a negro of Plantation Bee Hive, says, he understands the nature of an oath; and being then duly sworn, deposed as follows; viz.—I am head boiler on Plantation Bee Hive; I know

Enclosures in N° 11. Proceedings of Courts Martial.

I know the prisoner; I remember the morning of the fight next to the Bee Hive; I saw the prisoner about seven o'clock in the evening of that day; I saw him then tie the head driver; Duke came and chopped my door open and called me, saying, Thomas! Thomas! what do you mean by leaving us to fight your battles; we had you and the water-side just now, and you have run away from us, and come to your house again · I observed, well, my wife has got supper for me; Duke said, why do you go to bed? Duke then went to the next door and chopped it; Duke had a fowling-piece and a cutlass in his hand when he came to me; I saw Duke give a boy an axe and tell him to go and cut away the bridge with it; he boy's name was Parkinson, and the bridge is over the canal at the Bee Hive, towards Mahaica.

Question by the Prisoner.—Are you sure you saw me with a gun?—I am sure; he was bragging that he had been fighting all the way up from Chateau Margo to the Bee Hive; I am sure he had a gun.

2d Evidence.

Virginia, a negro of the Plantation Bee Hive, says, he understands the nature of an oath, and being then duly sworn, deposed as follows;—viz. I am a house servant on Plantation Bee Hive; I know the prisoner; I saw him on the Bee Hive the day of the fight with Lieutenant Brady; the prisoner Duke went to the negro-houses of the Bee Hive, and called the people to come out and fight, that he had been fighting all the way from Chateau Margo, and had put the Governor and Fiscal, and all the great people in the stocks; he turned out all the men, and brought them to the canal dam; I saw him give Parkinson an axe, and tell him to cut down the canal bridge; the men whom he took away from the estate returned home, and at night Duke came back, and again ordered every man upon the dam, he then went to Edwin's house, broke open his door and beat him; as he then could not get the people out, he said he would take a fire-stick and set the negro-houses on fire, a man named West prevented him from doing it; my master's house was plundered the same day.

3d Evidence.

Parkinson, a negro of Plantation Bee Hive, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:—I saw the prisoner, Duke, on the Bee Hive on the Tuesday the 19th August; he gave me an axe, and told me I must cut down my master's bridge, I refused to do so, and Duke tied me because I would not do it; as I got into the sugar-house, January, of Clonbrook, released me.

Question by the Prisoner.—When I tied you, what did I say I would do to you?—He said he was was going to kill me.

4th Evidence.

Brutus, a negro of Plantation Northbrook, says, he understands the nature of an oath, and being then duly sworn, deposed as follows; viz.—I belong to Plantation Northbrook; I know the prisoner, I saw him on Plantation Northbrook the day after the rising; he came to Northbrook about seven o'clock in the morning; he came to my house and said, here is a great serjeant here, what is he doing? he told me, that from Monday night till now he has lost sleep coming up all the way from Florimont's, and said, "do you think we are going to prepare freedom for you, and you sitting down in your house all the while? you had better turn out and do your duty; I said, I had no duty to turn out about; he said I had better turn out or he would off cut my head; he had a bayonet on a stick and a cutlass in his hand; I told him I would not turn out; he said don't you know it is the Governor's order; I told him he might have seen the Governor's order, but I had not, I said, do you suppose the Governor would give orders in such a comical manner? I then came out of my house, and a man named Nelson prevented him from cutting off my head; the prisoner collared me, and was threatening me, and Nelson prevented his executing his threats; Duke came with a large troop, many of them had guns; Duke threw down a new cutlass for me after I had come out of my house, but I refused to take it.

Prosecution closed.

Defence.

The prisoner being asked what he had to say in his defence, stated;—On Tuesday morning we were working at the Koker; Captain January sent plenty of hands to call us away, and we went to Northbrook; after that we called in at Dochfour, where we found Sam laid hold of, I begged hard, got him released, and hid him; after that, I had nothing to do with this business, and I hid myself; I came out Tuesday night, and went to the Bee Hive and slept in Frank's house, I had no gun, only a cotton pruning knife; I know nothing of the charges of having gone this way and that way; I touched no property belonging to white men.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Duke, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Duke, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Duke, to be hanged by the neck until he be dead, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut.-col. Com. &c. President.

V. A. Heyliger, Judge Advocate.

(Approved) *Jno. Murray,* Com.-in-chief.

Enclosures in N° 11.
Proceedings of Courts Martial.

Against Kinsale.

(Enclosure 6.)

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colonies of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 24th of September.

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Comt of the George Town Brigade of Militia,

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comg Provl Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Asst Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

Captain A. Mc Kenzie having obtained leave of absence, Captain Donald Campbell 1st Battalion Demerara Militia was ordered to attend as a member.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of KINSALE, a negro of Plantation Bachelors Adventure, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Kinsale*, a negro of Plantation Bachelor's Adventure.

Charge:—For having, on or about the night of Monday the 18th August last, been in open Revolt and Rebellion, and actively engaged therein against the peace of our Sovereign Lord the King, and the laws in force within this colony, and also for aiding and assisting others in such Rebellion.

V. A. Heyliger, Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence.

Hugh Rogers, being duly sworn, deposed as follows; viz—I am joint proprietor of Plantation Clonbrook; I have related before the manner in which I was put in the stocks; I have before stated that Joseph dragged me down stairs and struck me; he gave me in charge to Kinsale and others, after passing a bridge which leads to the sick-house; I have known the prisoner since he was a child; Kinsale took hold of my ear, and said I was a very wicked fellow, and deserved to have my head off, that I was even worse than the overseers; that I had charge of the plantation papers, and had kept secret what had come out for them; he made use of other abusive language, and said I was a second Pharaoh; I was then led to the stocks; he was present when I was put in, but the place was dark and I do not know who put me in, but he laid injunctions on those who were by that the stocks should not be opened until his return from Mahaica; I heard him say that. The following Wednesday he was brought to my house on Bachelors Adventure, where I live as book keeper; he was wounded in the arm, and said he had received the wound from the soldiers; his arm was amputated the same day; the time he left me in the stocks was Monday night the 18th August; I did not perceive that he was armed; Joseph's party who were with the prisoner were armed; some of them had muskets.

2d Evidence.

John Bowerbank, being duly sworn, deposed as follows; viz.—I am an overseer on Plantation Bachelors Adventure. On Monday evening the 18th August, about nine o'clock, I was at Plantation Enterprize; that estate and Bachelors Adventure are under one management and united; Elizabeth Hall is between; the house I live in is on Plantation Enterprize, Mr. Rogers's house is on Bachelors Adventure. A crowd of negroes came to Plantation Enterprize at that hour, and demanded arms; after throwing some wood and bricks at the house they entered it, and came up into my bed-room where I was, and ordered me to give up the arms that were in the house, laying hold at the same time of a fowling-piece and sword in the room; I told them there were no more arms in the house, but they searched and found some, they then retired; the negroes brought two young men with them, named Munro and Ayres, who belong to the estate, but lived in a separate house; they ordered us all to the stocks at Plantation Bachelors Adventure; after taking us to the middle walk of that estate, they desired us to return back to Enterprize, and we did so: about an hour afterwards another body came to the house, broke up some of the windows,

Enclosures in N° 11. Proceedings of Courts Martial.

windows and threw fire-sticks into the hall; I came down to the hall and met the prisoner, who took hold of me by the breast, and with others dragged me out; he had a cutlass; he said I must go with them to the stocks at Bachelors Adventure. I called the prisoner by his name, and begged him to let me put on my clothes; I had undressed, thinking they would not come a second time; they permitted me to do so; after which I was conducted to Bachelors Adventure by the prisoner and others, and there put in the stocks; the prisoner and a man named Prince, and others I do not know, put me in the stocks; I found them about to put Mr. Grant and Mr. Rogers in the stocks; I begged the prisoner not to put Mr. Grant in, but to do what they pleased with the young men; he said, what are you going to take Mr. Grant's part too? he said he should go in the stocks with us; he was put in, and the prisoner ordered us all to be put in with both feet, which was done. Mr. Munro and Mr. Ayres were both with me; the door of the stocks room was locked, I applied the next day to be let out, and was told by some negroes that the prisoner had the key of the stocks room door and of the stocks, and was absent at Mahaica. The prisoner has had a most infamous character on the estate since I knew it, since four years, and was at the head of all mischief.

Question by the Prisoner.—Are you sure I laid hands on you at any time they were putting you in the stocks?—I am sure he laid hands on me in the hall.

3d Evidence.

Donald Martin, being duly sworn, deposed as follows; viz.—I reside on Plantation Enterprize: I am a medical practitioner there; I saw the prisoner first at Plantation Paradise on the night of the 18th August; he was very busy amongst the people who put us in the stocks there; I suppose it was between twelve and one o'clock at night; the prisoner took hold of me himself by the collar of the coat and ordered me into the stocks; he ordered me to be put in and saw me put in; I told him I had some people sick whom I intended to visit in the morning, and he had therefore better leave me out; he said, who wants you for a doctor again? go to the stocks instantly, I tell you, and he collared me again; Joseph, Prince and the prisoner were in appearance the principal people; I took the prisoner to be the head man, he certainly was, so far as related to what was done to me. I have known the prisoner about five years; I have attended him, and not long before this, when he was ill with a pleurisy, during the sickness that prevailed amongst the negroes; I have practised about twelve months on the west coast and five years on the east coast. I attend the Cove and the John, Bachelors Adventure and Enterprize, Ann's Grove and Clonbrook, and have attended others when I was an assistant with Dr. Richardson. The negroes when sick are well attended to, and every comfort for sick persons is furnished; throughout the whole of my experience I never met with a single instance to the contrary. I have attended the Glasgow infirmary, and I consider the negroes here when sick are as well taken care of as patients in that institution; with regard to comfort and food and attention, they are as well provided for here as there.

4th Evidence.

John Munro, being duly sworn, deposed as follows: viz.—I am an overseer on Enterprize and Bachelors Adventure; I live on the former; the prisoner ordered me to put my two feet in the stocks; I said I would only put one, a stranger then said, if I would not put two he would chop my head off; I then put my two feet in the stocks, and the prisoner locked them; this is the same time Mr. Bowerbank who was with me speaks of.

5th Evidence.

François, a negro belonging to Plantation Bee Hive, says he understands the nature of an oath; and being then duly sworn, deposed as follows:—I am a field negro on Plantation Bee Hive; I know the prisoner, his name is Kinsale; I did not know him before the beginning of the rebellion; about the middle of the day the prisoner Kinsale came to the Bee Hive, he was with about twenty others; he inquired where François (meaning me) was; the prisoner had a musket; I replied I am here; he said, you want to help the white people, do you? he said, they must kill me; another one said, you must not kill him, but carry him with us and make him fight; they carried me with them, and Kinsale gave me a fowling-piece; he had a musket himself at the same time; he then went to Rogers's Koker, where there was a collection of people, where Kinsale told January that I was the man killed the black man Andrew (who had been shot by the soldiers,) and they wanted to kill me for it; they went away, tied me, and a man named Ned of Clonbrook took me to the stocks and put me in, both feet; Ned took away the fowling-piece.

Prosecution here closed.

Defence.

THE prisoner being asked what he had to say in his defence, stated; I am very sorry at having committed what I have done; I beg the Court's pardon for it and I am sure I shall never do the like again.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the Charge preferred against the prisoner Kinsale, as well as the statement made by him in his defence, is of opinion that he the prisoner Kinsale is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Kinsale, to be hanged by the neck until he be dead, at such time and place as His Excellency the Commander-in-chief may deem fit.

V. A. Heyliger, Judge Advocate.
S. A. Goodman,
Lieut.-col. Com. &c. President.

(Approved) *Jno. Murray*, Com.-in-chief.

M

Enclosures in Nº 11.
Proceedings of Courts Martial

Against Cudjoe.

556. Demerara,
Received,
1st May 1824.

(Enclosure 7.)

Sir, Colony House, George Town, 2d Sept. 1823.

I AM directed by the Court Martial to draw the attention of your Excellency to the latter part of the evidence of James Carson, stating the prisoner's surrender on Saturday morning, if your Excellency should be of opinion that the circumstances of the case are not of an aggravated nature.

I have the honour to be, Sir,
Your Excellency's most obedient humble servant,
Richd Creser, Assist. Judge Advocate.

His Excellency the Lieut.-governor,
&c. &c.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c, &c. &c.; and continued by adjournment to 2d September;—

President, Lieutenant-colonel STEPHEN ARTHUR GOODMAN, Commandant of the George Town Brigade of Militia.

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comg Provl Batt. Dem. Militia.
Captain Thomas Fairweather, 21st Regt.
Captain Charles Playter, 1st Batt. Dem. Militia.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Edmund B. Gapper, Royal Artillery.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and Robert Edmonstone, esq. acting A. D. C. to Lieut. Col. Goodman, having been duly sworn to interpret faithfully; proceeded to the trial of CUDJOE, a negro of Plantation Porter's Hope, on the following Charge preferred against him.

CHARGE preferred by order of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Cudjoe*, a negro of Plantation Porter's Hope.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Rich. Creser, Assist. Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence

James Carson, an inhabitant of this colony, being duly sworn, deposed as follows:—I am overseer on Porter's Hope; the prisoner belongs to Porter's Hope. On the morning of the 19th, about half past two o'clock, when I was taken into the stocks room (as I related on the trial of Jemmy,) the prisoner was there, there was a light there, either a lamp or candle: the manager, and the other two overseers were already in the stocks before I entered; the prisoner assisted in putting me in the stocks, one foot, then said, if I did not put in the other he would chop me; he had a military sword and brandished it, and said they had got their freedom, since Governor Meerten's time; he had such command over the people, that he was able to get the manager released, and left us there; he released the manager, he said, because he was sick; he had been sickly for some time; his name is Samuel Shepherd; we three were left in the stocks; the stocks being broken, we were removed to Enmore, the adjoining estate, I did not see the prisoner at the moment we were removed, nor afterwards; when he brandished his sword, and said they had been free since Governor Meerten's time, he also said, the rascally white men kept it from them, but they should have it now. On the Saturday following, the prisoner came and returned the sword to Mr. Shepherd, the manager; he was not caught, but came himself from aback.

Question by the Prisoner.—Were you put in the stocks by me or Jemmy?—I did not see Jemmy after I entered the houses; the prisoner assisted in putting me in the stocks.

When the negroes were dragging you to the stocks, did not I interfere, and insisted upon allowing you to go without being dragged?—I did not recognize the prisoner until in the stocks; some person did interfere in the manner he states, but I cannot say who it was.

Did you see me strike or lay my hands on any white person?—I only saw him brandish his sword.

2d Evidence.

John Williams, an inhabitant of this colony, being duly sworn, deposed as follows:—I am overseer on Porter's Hope; I saw the prisoner when I was in the stocks there, on the morning of the 19th; he was armed with a sword, which he flourished several times over his head, and seemed to be taking a very active part. I saw several of the negroes armed with cutlasses, and some with muskets; I saw two only that were not armed. I saw Mr. Carson, Mr. Carson pushed into the room by several negroes, I believe the prisoner was in the room before Mr. Carson came in, I cannot say I saw Mr. Carson's feet in the stocks, but I saw him on the bench; I was a good deal alarmed. I have been seven months and a half on the estate, I have always heard the prisoner was accounted a head man amongst them, and as a parson. I do not know this man's general character or conduct, as I work with the creole gang, and very seldom with the gang he works with.

Question by the Court.—Who put you in the stocks?—A man by the name of Louis, of Porter's Hope, dragged me to the sick-house.

Question by the Prisoner.—When I came into the sick-house, did I not find you already in the stocks?—I was sitting on the bench at the time he came into the room.

3d Evidence.

G. F. Pickersgill, an inhabitant of this colony, being duly sworn, deposed:—I am overseer of Porter's Hope; I saw the prisoner there on Tuesday morning, the 19th; I was in the stocks before I saw the prisoner; I was put in by strange negroes; I had been about two minutes in the stocks, and the prisoner came into the room armed with a sword; he brought it flourishing it over our heads. He had a great deal to say; he was very active; he said something about being free since Governor Meerten's time, but the rascally buckras kept him from it. He staid four or five minutes; I can't say I heard him give any orders; I did not see him release the manager; I believe it was a man of the name of France, he belongs to Porter's Hope, that released the manager.

Questions by the Prisoner.—What was my general character on the estate?—From what I have always heard, it was a very indifferent one.

Was I ever insolent to you?—I cannot say you ever was; he is a very good workman, and that is all I can say of him.

To a question by the Court.—I don't know whether he was called a Parson.

To a question by the Court.—I have been about two years on the estate.

Here the Prosecution closed, and the prisoner being put on his defence, stated as follows:—That Joseph misled him into all this.

The Defence closed, and the Court proceeded to deliberate.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Cudjoe, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Cudjoe, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Cudjoe, to suffer death, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut.-col. Com. &c. President.

Richd Creser, Assist. Judge Advocate.

(Approved.) *Jno. Murray,* Com.-in-chief.

(Enclosure 8)

Against Adonis.

556. Demerara.
Received
1st May 1824.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant and in pursuance of an order of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief, in and over the United Colony of Demerara and Essequibo, &c. &c. &c., and continued by adjournment to 1st September,—

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Com. of the George Town Brigade of Militia,

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief
Major Thomas Frankland, Comg Provl Batt. Dem. Militia.
Captain Thomas Fairweather, 21st Regt.
Captain Charles Playter, 1st Batt. Dem. Militia.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.

Members.

Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Edmund B. Gapper, Royal Artillery.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt Dem. Militia.

THE Court being duly sworn, and Robert Edmonstone, esq acting A. D. C. to Lieutenant-colonel Goodman, having been duly sworn to interpret faithfully; proceeded to the trial of ADONIS, a negro of Plantation Plaisance, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c &c. &c. against *Adonis,* a negro of Plantation Plaisance.

Charge.—For having, on or about the night of Monday the 18th August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Richd Creser, Assist. Judge Advocate.

Enclosures in N° 11.
Proceedings of Courts Martial.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence.

John Semple, an inhabitant of this colony, being duly sworn, deposed:—I am not free, but belong to my mother; I have not got my free paper; generally I live in town; I have been living up the coast the last six months; I was working at Plaisance; I was employed in carpenter's work; I was at the Brothers on the Monday this disturbance began; I had been staying there a week before, and was employed in fishing, and sold the fish to the women that came up from town. About seven o'clock on the Monday, a whole mob of negroes came on the estate, upwards of one hundred of them; they were armed with cutlasses on sticks a great quantity of them. When they came into the place, Bob, the driver of the Brothers, came out to them and said, "My friends, what's the matter? where are you going to?" Attila said, "If you are the manager, to ask me where we are going to, take what we are going to give the manager;" and then they rushed against him, and passed him, and the driver followed till they got to the door, and then the mob throwed him down; I saw them: and after they were in the house they began to chop about with their cutlasses, and broke every glass window in the house; a man of the name of Richard of Success, a driver, went up stairs into the ladies chamber; the prisoner Adonis, who belongs to Plaisance, was there; I have known him a long time, I am sure I saw him when I first saw the mob coming; he was armed with a cutlass; it was fixed on a stick; I did not see him do any thing particular; the prisoner was as active as any one of them, and was active enough amongst them; I did not see any one in particular who had a command; I did not hear him say any thing; I heard Attila say, when they threw the driver down, chop him; another said, no: the prisoner was amongst the crowd at that time; the prisoner had a cutlass in one hand, and a lance in the other; the lance was a cutlass on a stick, made of an old cutlass ground on both sides. I did not see the prisoner in the house; they stopped about half an hour good, and they went away. I saw Mr. M'Farlane and James Bartrum in the house before the mob came; and after the mob went away I saw those two white men in the stocks: I did not see them put in. I remained on the estate. The whites were let out of the stocks by Robinson and Demerey of the estate the Brothers. Demerey is the driver. The manager, Mr. Mercer, had gone to Dr. M'Turk's.

This witness was examined without an Interpreter.

To questions by the Prisoner.—I am perfectly certain the prisoner was there. I did not see him injure, or attempt to injure any one; but he was there.

To a question by the Court..—Bob, Demerey, Robinson and Mingo, stood on the steps, and Bird, to prevent their coming up: they were not armed, and that was the only resistance that was made. I am sure the prisoner was not in the house.

2d Evidence.

Bob, the Mahometan, on a former trial:—I saw the prisoner; his name is Adonis; he belongs to Plaisance. When they had dragged me down the steps, and throwed me on the ground, I heard Adonis cry out, "You, Bob! I will kill you!" I saw him at the time I heard him; I have known him for a long time. After I got away from them I saw nothing more.

3d Evidence.

Mingo, being duly sworn, declared to understand the nature of an oath:—I am head carpenter of the Brothers; I know the prisoner; be belongs to Plaisance. I saw the prisoner, along with a large body of negroes, come on the Brothers, about eight o'clock that Monday night. Attila was also there. The prisoner had a lance and cutlass in his hand: the lance was an iron-handled cutlass, generally termed 'bill,' fixed at the end of a pole, about four feet long. I did not see the prisoner do any thing in particular; he was one of the mob. When Bob was dragged from the house the prisoner followed him: I stopped in the house, inside.

Attila appeared to be the head man, along with a boy named Ajax, belonging to La Resouvenir. I saw the white men in the stocks; Attila gave the order to put them in.

Defence.

Here the Prosecution closed; and the prisoner, being put on his defence, made a general denial of the evidence produced against him.

Here the Defence closed; and the Court proceeded to deliberate.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Adonis, as well as the statement made by him in his defence, is of opinion that he the prisoner Adonis is guilty of the charge preferred against him, with the exception of that part thereof which states, "and actively engaged therein;" and does therefore sentence him, the prisoner Adonis, to suffer death, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut.-col. Com. T. B. M. President.

Richd Creser, Assist. Judge Advocate.

(Approved) *Jn° Murray,* Com.-in-chief.

Enclosures in N° 11.
Proceedings of Courts Martial.

Against Gilbert.
556. Demerara.
received
1st May 1824.

(Enclosure 9.)

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a Warrant, and in pursuance of an Order of his Excellency Major General John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 8th September:—

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Comt of the George Town Brigade of Militia,

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comt Provl Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.

Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter, esquire, having been duly sworn to interpret faithfully; proceeded to the trial of GILBERT, a negro belonging to Plantation Paradise, on the following Charge preferred against him.

CHARGE preferred by order of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against the negro *Gilbert*, of Plantation Paradise.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Richd Creser, Assist. Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence.

Stephen, a negro belonging to Plantation Paradise, says, he understands the nature of an oath; and being then duly sworn, deposed as follows, viz.—I belong to Plantation Paradise; I know the prisoner; he belongs to Plantation Paradise; he was creole driver on the estate. On Monday night, the 18th August, I went to bed; I laid down to sleep, and a man came to call me: that man was the prisoner; he asked me what I was laying down for; my companions are all fighting and you are asleep; get up and go and fight. I replied, my feet hurt me and I cannot go, as I said this, the prisoner replied, are you to lay down in your bed while we fight your battles? He held a cutlass and beat me with it, and I tried to take it out of his hand; in doing which he slightly wounded both hands, and struck me on the collar-bone; he forced me to the public road, and when I got in the crowd I escaped from him and got in the cotton-piece; I remained there until breakfast time next morning; about mid-day I went aback to the plantain walk to get something to eat. I am sure the prisoner is the man who struck and wounded me; he belongs to the same estate. I was bruised on the collar-bone, and cut on the thumb of my right hand and the back of my left hand; the marks of the wounds exhibited are there very slight, but visible. The crowd I speak of had guns, cutlasses and pikes.

Question by the Prisoner.—Was you not sitting at the door-way when I came to you?—No, I was in my bed.

2d Evidence.

William Rowe Whitelock, being duly sworn, deposed as follows; viz.—I am overseer on plantation Paradise. I know the prisoner; his name is Gilbert; he is a driver on that estate. On Monday the 18th August, when the disturbance began, I was on that estate. On Tuesday morning, about eight o'clock, I saw the prisoner; he was armed with a gun; I was in the stocks at the time and saw him pass; he was alone at that time. In the evening, after I was released, I saw him again; there were a great many negroes at the stocks door, some armed with guns, some with cutlasses; they were all armed. From the stocks door I went to the house; I then saw all the negroes go from the stocks door out of the yard, and the prisoner followed them with a gun; I did not observe him till then. About twelve o'clock on Monday night about a thousand negroes came to the door and demanded our arms, which we refused to give them; there were ten white people in the house; the negroes then said if we made any resistance they would set fire to the house; there was no resistance made, and five or six of them came into the house and demanded a candle to search for our arms; a candle was given them; they then took our arms and went away; about half an hour after that, a second gang, of three or four hundred, came in, all armed; they asked no questions, but put us in the stocks. I did not observe the prisoner then,

Enclosures in N^{o} 11.
Proceedings of Courts Martial.

nor until Tuesday, as I have stated. They took, I believe, about four brace of pistols, four double barrel guns, and three or four single barrel guns, two or three muskets, and a great deal of powder and small shot; we had very few ball cartridges, a great deal of shot.

3d Evidence.

Charles Grant, being duly sworn, deposed as follows; viz.—That he is owner of Plantation Bellefield. I know the prisoner; his name is Gilbert; he belongs to Plantation Paradise. I saw the prisoner with a large crowd of people on Tuesday the 19th August, they were in general armed with fowling-pieces, pistols, cutlasses and bayonets on sticks; the prisoner was armed with a gun. The prisoner was one of those who between three or four o'clock in the afternoon came to me with a paper to sign; I told them I had signed one before, and therefore did not sign the one they offered. Sandy, Paris, Jack of Success, the prisoner, Providence and Hamilton were all present; Hamilton of Success; the prisoner was with that party, they asked me for a letter to the Governor, but I satisfied them without that, and they all went away.

Prosecution here closed.

Defence.

The prisoner being asked what he had to say in his defence, stated as follows: viz.—On Sunday the 17th August I went to chapel; morning service was over, but I stayed the mid-day service; I saw Jack, Quamina and Providence talking together, and at first they did not wish me to know what they were talking about; but on my return home, when I got as far as Plantation Success middle path, Jack ran after me and called me; there were a great many people on Success middle path, and they were talking about something good that the King had sent out for us; they did not tell me what it was, but we were all to seek for it. I then went home to Paradise; I did not speak of this on my return, but the next night, when they put the manager in the stocks I came to that place where the stocks were, and they asked me where Barston and Hanover were? I replied I did not know; the party then went towards Mahaica, and on my saying I was unable to go from a sore on my leg, they insisted on my going, and put a gun into my hands, with which I marched with them as far as Golden Grove, but not being able to get over the canal at that place, I returned back again to Paradise the following morning, being Wednesday: Providence sent Joseph for me all the way from Clonbrook, and I went with Joseph accordingly to Clonbrook.

Defence closed.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Gilbert, as well as the statement made by him in his defence, is of opinion, that he the prisoner Gilbert is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Gilbert, to be hanged by the neck until he be dead, at such time and place as His Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut. Col. Com. &c. President.

Rich^{d} Creser, Assist. Judge Advocate.

(Approved) *Jn^{o}. Murray,* Com. in-chief.

(Enclosure 10.)

Against Smith.

556. Demerara.
Received 1st May 1824.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colonies of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 17th of September;—

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Com^{t} of the George Town Brigade of Militia.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Com^{g} Prov^{l} Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.

Members.

Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of the negro SMITH, of Plantation Friendship, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against the negro *Smith,* of Plantation Friendship.

Charge:

Enclosures in N° 11. Proceedings of Courts Martial.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

V. H. Heyliger, Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence.

Christian John Schmidt, being duly sworn, deposed as follows, viz.—I am manager of Plantation Friendship; I know the prisoner, he is a field negro belonging to that estate; he is one of the men who entered my dwelling-house; he struck me a blow in the face, and assisted in carrying me into the stocks, and I was put in the stocks by him and others; he said, you had me in the stocks yesterday, I have you, now. He was in the stocks, he was serving out allowance and stole salt fish, for which I put him in the stocks; about seven o'clock on Monday evening the 18th August, the prisoner Smith was unruly; I told him I would put him in the stocks if he was not quiet; he said, come down yourself and put me in the stocks; I told the man Ned to put him in the stocks; he was not put in, and Ned and he walked off towards the negro-houses; after he had put me in the stocks he went back with the rest of the negroes and brought Mr. M^cLean; when he came back with Mr. M^cLean he had a gun in his hand, which he had not before; the prisoner kept guard over us the whole night, he had a gun the whole time; he said to Mr. M^cLean, I am sorry for you old, gentleman, but you know about the war, and came to tell Schmidt, but as for you (speaking to me) you ought to be put in hands and feet, and if it was left to me I would take your head off, this was about an hour after we were confined in the stocks; I asked him then for a little water, and he told me I should have no water for three days and three nights; a little after that there was a noise in the next room, and the prisoner asked what was the matter? Mr. M^cLean said it was the rats, the prisoner said, no, I suppose you want to get out of the stocks, if you do I will shoot you through the head both of you dead; I then asked him leave to get out of the stocks from a necessity for a moment, and that he could go with me; he said he could not allow it, he had orders; I asked him who gave him the orders; he said Quaco, who had five thousand Bush negroes with him, and would make him answerable for it with his head; about nine o'clock in the morning he asked if we would take out one foot; I told him he had put in both feet, and he might take them out or leave them in, just as he liked; he then told me to pull out one foot, and I did so. He then spoke a great deal of a plan about three months ago of raising the whole country, but the river in Essequibo had not then joined, he asked me if I had seen a fire about seven o'clock on Monday night, and told me it was a signal for rising; he said there was to be a fire aback of La Penitence, aback of Lusignan, and aback of Non-Pareil, and that was the sign to put the managers in the stocks; he told me not to be afraid, the Baron and every one on the coast was in the stocks then; that they would keep us three days and three nights in the stocks; and that the negroes, after taking Mahaica post, would go down to the Governor in town to have their three days, and if they did not get them, they would know what to do; I told them that would never do, and that the soldiers would come up and cut them all to pieces, and that was the freedom they were likely to expect; about three or four hours after the negro Ned came and released us, he was one of our guards: the prisoner told me he had saved my life that night; it might be, but I know nothing of it.

2d Evidence.

Alexander M'Lean being duly sworn, deposed, that on Monday night the 18th August, I was on Plantation Friendship; I saw the prisoner there; Mr. Schmidt was in the stocks first, I was put in afterwards; when I was in the stocks I saw the prisoner, he was one of the sentries over us, he walked backwards and forwards before the house; he had a gun; now and then he came into the room to see if we were secure; Schmidt asked him for a little water soon after we were put into the stocks, he said he would be damned if he would give him a drop of water for three days and three nights; some time after the rats made a noise; the prisoner inquired what noise that was; I told him the noise was in the next room; he said immediately, if we kept any more noise he would shoot us both dead. He kept guard over us until betwixt one and two o'clock on Tuesday in the day; about nine o'clock in the morning he let one of our feet out, and we got some water.

Prosecution here closed.

Defence.

The prisoner being asked what he had to say in his defence, stated, The Friendship people were not acquainted with this rebellion; until Monday night the 18th August, when about two hundred strangers came on the estate, among these people I knew Scipio and Tom of Bachelors Adventure. Scipio held the manager, and the others put Mr. M'Lean in the stocks; this I had never seen done before; and I went to stand security for the white people, and I begged for the key of the stocks, in order that I might wait on the white people; the ladies were crying, and I comforted them; they asked me to carry water to them in the stocks, and I said I would carry any thing. One man who objected to leave the stocks key had a gun, and I ran after him and took the gun from him; I showed the gun to some of the soldiers and to an officer; the manager remained in the stocks until seven o'clock the next day, when I and Ned let out one foot of each, and about nine o'clock we let them out altogether.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Smith, as well as the statement made by him in his defence, is of opinion that he, the prisoner Smith, is guilty of the charge preferred against him; and does therefore sentence him, the prisoner Smith, to be hanged by the neck until he be dead, at such time and place as His Excellency the Commander in chief may deem fit.

S. A. Goodman,
Lieut. col. Com. &c. President.

V. A. Heyliger, Judge Advocate.

(Approved) *John Murray*, Com.-in-chief.

Enclosures in N° 11. Proceedings of Courts Martial.

Against Quamine.

556. Demerara. Received 1st May 1824.

(Enclosure 11.)

PROCEEDINGS of a General Court Martial, held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a Warrant and in pursuance of an Order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c.; and continued by adjournment to 12th September.

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Comt of the George Town Brigade of Militia.

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comt Provl Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of QUAMINE, a negro of Plantation Haslington, on the following Charge preferred against him.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. against *Quamine*, a negro of Plantation Haslington.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Rich. Creser, Assist. Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence.

Charles Grant, proprietor of Plantation Bellefield, being duly sworn, deposed as follows, viz.—About seven o'clock on Tuesday morning the 19th August; I have been examined on some former trials; before I was put in the stocks I had no knowledge of the prisoner; when the crowd of negroes was gone away the prisoner and another negro were left to guard me; the prisoner had a cutlass; I was about an hour in the stocks, and the prisoner guarded me all that time; he occasionally opened the door and went out, and locked the door and came in again; this was on plantation Northbrook, where I had been taken from Bellefield, as they could not find the key of my own stocks; there were three of us in the stocks, myself and the manager and overseer of Northbrook; I asked occasionally to open the door to give us air, but he said they would not allow him; I cannot say if the prisoner had orders to guard us or not; I am sure of the man, I saw him in the barracks, and recognized him immediately; he did not strike us, or use ill language to us; some of the Northbrook people came to bring us some breakfast, and he opened the door and allowed them to give it us; Sandy came immediately afterwards and ordered him to release us from the stocks, and I saw no more of the prisoner.

2d Evidence.

Brutus, a negro of Plantation Northbrook, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:—I belong to Plantation Northbrook; I am a field negro; I know the prisoner; I did not know him before the rebellion broke out; the same day the negroes came to Northbrook, that is on Tuesday at half-past six o'clock in the morning, and when they had taken the manager and overseer and put them in the stocks, I saw Quamine guard over the stocks; he had the key of it; I begged him to allow the windows to be opened, to let in the fresh air, and he said he would not allow it; if it was black people in there it would not be allowed to them; and he said that rascal Mr. Gainsford, of Golden Grove, if I had not shot him this morning in the window they would not have caught him; he told me Mr. Gainsford had shot two men dead, and as he leaned out of the window he had shot him with small shots; and that he the prisoner had made the fire under the house, and blown upon it to raise a smoke, which made them come out of the house, when Mr. Gainsford was taken and put in the stocks; that Mr. Gainsford ran towards the garden, and through the garden, before they caught him, and before catching him they had beaten him plentifully with a cutlass, he told me he was very weary from having carried a gun so long, and that he had done enough with it, and had therefore given it to another man; this conversation took place at the stocks door; there was another young man there, but I don't know his name; he then told me to carry him towards the trench to assist to wash him, and he told me part of this whilst doing so; the Sunday after the rebellion I told this to Mr. Gunn, the manager, he was not with me before that; the overseer was also at Mahiaca post when I told this; when I told Mr. Gunn, I did not know whether the prisoner was taken up or not, the other man who was guarding did not say any thing, he sat down in one corner; I am sure he (the prisoner) is the man.

Question by the Prisoner.—Were you not one who guarded the stocks also with me?—I belonged to the estate; I was about the yard; when they brought breakfast for the persons in the stocks, I begged the prisoner to let the door be opened, and he allowed it.

Did you not say when I asked you why you did not go with the rest of the people, you were put along with me to guard the stocks?—It is true he asked me why I did not go, but I told him I would not go, it would be no comfort to me to go.

Were the windows of the stock-house not jealousies, and did not the carpenter of the estate break the jealousies to let in the air?—It is true that the windows are jealousies, nailed close up; the carpenter came to break them, but the prisoner would not allow it, for fear, when the negroes returned, they would trouble him.

After letting Mr. Grant out of the stocks, did you not come to me in the kitchen, and when I asked you to go and join the people, you said you would not; you said you would go by and by?—The first part is true, but I did not say I would go by and by.

3d Evidence.

Allen Gill Gainsford, being duly sworn, deposed as follows:—On Tuesday morning, about four o'clock before daylight, I was, I believe, out of the house; I believe I was on the ground below the gallery, down stairs, but I am not sure; I got out of the house through a broken jealousie, the jealousie was up stairs, in the hall leading to the gallery; I believe I was wounded after I had got through the jealousie and down stairs; there were some shots fired at the house before I got through the jealousie; I cannot say whether any shots were fired at the moment I was getting out; I was wounded with slugs, one was in the back of my head, which was taken out, and was the quarter of an ounce ball cut into four pieces; the other appeared much larger, and is still in, it is under my jaw; to the best of my recollection, it was not more than two minutes from the time of my getting through the jealousie until my perceiving that I was wounded; the reason of my quitting the house was, they set fire to the bottom of the house, and filled it with smoke; I did not see the fire put, but I perceived the smoke, which compelled me to come out. After I was wounded I attempted to run away; I ran past the garden, in the middle path, I had not got very far past the garden when they caught me; I was followed by two or three hundred people; they then dragged me to the stocks, after inflicting several wounds in my body; they struck me as they were pursuing me, and also after they caught me; one wound was with a bayonet, some were with cutlasses, and some with a horsewhip; I fired several times before I came out of the house, I suppose eight or nine times; my musket, as well as my pistols, were loaded with ball; I ran the bayonet though the body of a man who attempted to rush into the house; Dr. Goldie, Mr. Rafferty, and Mr. Arnot were with me, Mr. Arnot lost his arm.

Prisoner's Question.—Did you see me there, or had I a gun?—I cannot say I saw him, he might have been there; it was quite dark; the moon was just gone down.

Prosecution closed.

Defence

THE Prisoner being called on for his defence, stated;—The first that I knew of this rebellion was on Monday afternoon, the 18th of August, when Sandy, of Non-Pareil, passed up the coast, giving intelligence of it; he told us some good had arrived for us; and that when we saw the people coming up from the town side, we were all to turn out with our cutlasses and join them; and that whoever did not join, he would turn upon them and put them to death, and that on each estate as they went up, they were to put the white people in the stocks; I followed them to each estate, as far as Northbrook; I then turned back; and on my return I saw Telemachus with a paper in his hand, which he caused all the people in the stocks to sign, but I do not know what it was about; we all met together at Bachelors Adventure afterwards.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Quamine, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Quamine, is guilty of the charge preferred against him; and does therefore sentence him, the prisoner Quamine, to be hanged by the neck until he be dead, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Richd Creser, Assist. Judge Advocate. Lieut-col. Com. &c. President,
(Approved) *Jno. Murray,* Com.-in-chief.

Enclosures in No. 11.
Proceedings of Courts Martial,

Against Nelson.

556. Demerara.
Received
1st May 1824.

(Enclosure 12.)

PROCEEDINGS of a General Court Martial, held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant and in pursuance of an order of his Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to 9th September:—

President, Lieut. Col. Stephen Arthur Goodman, Comt. of George Town Brigade of Demerara Militia,

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comg Provl Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Kilhkelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter esq. having been duly sworn to interpret faithfully; proceeded to the trial of Nelson, a negro of Plantation New Orange Nassau, on the following Charge preferred against him:—

CHARGE preferred by order of his Excellency Major-general John Murray, Lieut-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Nelson*, a negro of Plantation New Orange Nassau.

Charge:—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Rich. Creser, Assist. Judge Advocate.

Plea:—To this charge, the prisoner pleaded Not Guilty.

1st Evidence. Cuffy, a negro belonging to Plantation Annandale, says, he understands the nature of an oath and being then duly sworn, deposed as follows:—That his real name is Nelson, but he is called Cuffy; that he knows the prisoner, his name is Nelson, belonging to New Orange Nassau. On Monday night the 18th August, about eight o'clock in the evening, I was watching in the yard at Annandale; I saw the prisoner a little after eight o'clock; the prisoner came in the yard amongst the rest, a great number of them, some with guns and some with cutlasses; when they came there, two or three of our estate's people stood in the gateway and called to them to stop; they cried they would not stop, and great numbers burst into the dwelling-house; I saw the prisoner amongst those who rushed in; the prisoner Nelson commenced cutting up the furniture with his sword, and the others were committing like destruction; when I attempted to get into the house they shoved me back again; I then returned to the gateway; I am positive I saw the prisoner cutting at the furniture; I was at the head of the gallery rail; I mean a sword with a belt and scabbard which the prisoner had. I saw the boy Cuffy beat by Alick because he would not tell where his master was. I do not know who it was prevented my going into the house.

2d Evidence. Nero, a negro belonging to Plantation Annandale, says, he understands the nature of an oath; and being then duly sworn, deposed as follows:—I know the prisoner, his name is Nelson; he belongs to New Orange Nassau. On Monday night the 18th August I was keeping watch, between seven and eight o'clock, in my master's yard; my master was sitting on the top of the stairs, he called for his chaise, and a boy came and told him that the public bridges were broken and it would be useless to attempt to drive a chaise. I and others told our master that he had better stay at home, as there seemed to be trouble in the country; that we would protect him as long as we were able; at this time the two overseers were at the gateway, and seeing a large body of negroes coming on them they retired towards the dwelling-house. I ran to the gate and shut it and cried out to them to stop, when Barson of Paradise knocked his foot violently on the ground, crying out, who dares to stop us? another, of the name of Prince, knocked me down with a gun; they all then began to beat me with swords and cutlasses; they tied me and gave me to Jem of Plantation New Orange Nassau, and Jem put my two feet in the stocks. I remained there until the soldiers arrived, and they released me. The prisoner was one of the first who went into the house; I saw him chopping about the house; some of them threw fire into the house, but I cannot say if it was the prisoner, I saw no more of him; I saw the prisoner cutting with a cutlass.

3d Evidence. Renn, a negro belonging to Plantation Annandale, says, he understands the nature of an oath, and being then duly sworn, deposed as follows:—I know the prisoner, his name is Nelson;

Enclosures in N° 11.
Proceedings of Courts Martial.

Nelson; he belongs to Plantation New Orange Nassau. On Monday night the 18th August, between seven and eight o'clock, I was watching in front of the house, I heard Nero the other watchman calling out who comes there? When I saw the prisoner he was going away, and he had an axe on his shoulder, and he had a cutlass also, I saw him coming out of the house, but I could not see what he did in it.

4th Evidence.

Chance, a negro belonging to Plantation Friendship, says he understands the nature of an oath, and being then duly sworn, deposed as follows:—I know the prisoner; his name is Nelson; he belongs to Plantation New Orange Nassau. On Monday night the 18th August, at half-past seven o'clock, I was in the house of the manager of Friendship, I am his cook; Friendship is the next estate but one to Plantation Annandale; at the hour before mentioned, my master seeing a great number of people coming on the estate, ordered me to blow the shell, to give the alarm; whilst I was blowing the shell, a great number of people rushed around the manager's house; my manager, Mr. Schmidt, was standing at the door-way of the dwelling-house with a gun in his hand, when the man Paul, the head carpenter of the Friendship, together with the prisoner, made a rush to take away the gun from him; after taking it away a number of them laid hold of the manager; I saw the prisoner lay hold of him; they carried him to the stocks, and the prisoner held one foot in carrying him there; after that I saw no more of the prisoner; the prisoner was armed with a cutlass; I knew the prisoner since I was a boy.

5th Evidence.

Christian John Schmidt, being duly sworn, deposed as follows:—That he knows the prisoner; he belongs to Plantation New Orange Nassau, and he believes his name is Nelson. I was in the dwelling-house of Friendship about seven o'clock on Monday night the 18th August; about eight o'clock I saw the prisoner; he was one of the first negroes who came to the house; he assisted a negro of the name of Paul to take away a gun from me; I was dragged to the stocks by the legs and arms; I cannot say whether the prisoner was one who assisted in taking me to the stocks; a great crowd was there, at least a hundred. I was cut on my arm and bruised on my neck and body with cutlasses; the negroes were armed with guns and cutlasses.

Question by the Prisoner.—Are you sure I was on Plantation Friendship on Monday evening the 18th August?—Yes.

Prosecution here closed.

Defence.

THE prisoner being asked what he had to say in his defence, stated as follows:—On Monday night, 18th August, I remained at New Orange Nassau; I know nothing about a gun or a cutlass; I did not go to Plantation Friendship, but I did go to Annandale, other people forced me to go; I was in Mr. Spencer's house; they forced me against a table, and shoved it down and broke the glasses that were on it.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Nelson, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Nelson, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Nelson, to be hanged by the neck until he be dead, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Rich Creser, Assist. Judge Advocate. Lieut.-col. Com. &c. President.
(Approved) *Jno. Murray,* Com.-in-chief.

(Enclosure 13)

Against Zoutman.
556. Demerara.
Received, 1st May 1824.

PROCEEDINGS of a General Court Martial held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant, and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief, in and over the United Colony of Demerara, Essequibo, &c. &c. &c.; and continued by adjournment to the 9th of September.

President, Lieut. Col. STEPHEN ARTHUR GOODMAN, Com^t. of the George Town Brigade of Demerara Militia.

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Com^s Prov^l Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain Arthur M'Kenzie, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R Artillery Comp. Dem. Militia.
Captain William Lyng, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of ZOUTMAN, a negro belonging to Plantation Beeter werwagting, on the following Charge preferred against him.

CHARGE

Enclosures in N° 11.
Proceedings of Courts Martial.

CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against *Zoutman*, a negro of Plantation Beter Verwagting.

Charge :—For having, on or about the night of Monday the 18th of August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

Richd. Creser, Assist. Judge Advocate.

Plea :—To this charge, the prisoner pleaded Not Guilty.

1st Evidence. James Spencer, being duly sworn, deposed as follows; viz.—That he is overseer on Plantation Triumph; I am the witness examined before on the trial of Cobus and Quintus. I know the prisoner; I saw the prisoner on the night of Monday the 18th August, about half past seven o'clock, when the first disturbance took place; I was in one of the chambers at the top of the house;—I heard a disturbance below, in consequence of their taking the other overseer to the stocks; I threw open the jealousie, and the first person I saw was the prisoner; he called out to me to come down and give up my arms; I refused to do so, he then began to abuse me in the vilest manner, saying I was a damned scoundrel, and a damned rascal as well as all other white men; that the King had sent out their freedom, and that myself and others made them fools; after that the manager returned, and the prisoner with his party retired to get, as I supposed, reinforced; a short time after he returned, and I had just finished a note I had wrote to Mr. Spencer, informing him of what had happened, when the party fired three shots; he was among the party when they fired, and when they threw fire-sticks into the house; I cannot say whether the prisoner threw any or not; we however did not surrender our fire-arms they then retired, telling us they would soon make us glad to surrender them; Jack and his party came up; we then agreed to give up our arms, and surrendered them; at this time I should suppose there might be seven or eight hundred negroes, of us there were only three. I did not see the prisoner had any fire-arms at the time he cursed me; they then left us and went to Mon Repos. I saw the prisoner the next morning, about eight o'clock, pass through the estate alone, at that time he had a gun and belts; the first crowd I did not observe had any fire arms, the second crowd had some, and fired three shots, the last crowd had arms of all descriptions, muskets, fowling-pieces, pistols, swords, and cutlasses, and seemed generally well armed. The prisoner was amongst the last party. I saw David with the prisoner; I said unto him, are you here, Mr. Grovestein's driver, he answered I am no longer a driver for bukra.

2d Evidence. Augustus Gurney, being duly sworn, deposed as follows: viz.—I am overseer on Plantation La Bonne Intention; I do not know the prisoner.

This witness was called by mistake, being intended for the trial of Zoutman, of La Bonne Intention. (Ordered to withdraw.)

2d Evidence. Dover, a negro belonging to Plantation Triumph, being duly sworn, deposed as follows; viz. I have been examined before on the trial of Quintus and Cobus. I know the prisoner, his name is Zoutman, belonging to Plantation Beeter Verwagting. On Tuesday morning, the 19th August, I saw the prisoner on Triumph, he had a gun and a cartridge box, he came from the Baron's side, and passed through the Triumph; I heard him tell the women in the yard the soldiers were over at the Baron's, and they must not go away but stay in the yard, for if they went to the cotton-piece, the soldiers would shoot them; after this he went towards Mahaica side.

Prosecution here closed.

Defence. The prisoner being asked what he had to say in his defence, he stated;—When the rebellion commenced, I was entirely ignorant of the plan; I remained very quietly in my house; the overseer called me to sweep out the logie for the soldiers to sleep in, who had come from town; I fetched water for them, waited upon them, boiled plantains for them; I remained with them until next morning, when the Colonel and the soldiers arrived, who said he was much satisfied with what I had done for the soldiers, and that I behaved better than even his own servant could have done; I went into the kitchen, assisted the servants in cleaning knives and other matters in the house, and I never quitted Beter Verwagting; I never even quitted the buildings. I can refer to the Colonel for the truth of these assertions.

Witness called by the prisoner.

1st Evidence. Lieutenant-colonel Leahy, being duly sworn;—I do not remember the prisoner, nor do I remember any man boiling plantains for the soldiers, nor did I say any words of the effect as stated by the prisoner to any person.

Colonel Leahy came in at the latter part of the prisoner's defence, and was called at his desire.

Defence closed.

Opinion and Sentence. THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Zoutman, as well as the statement made by him in his defence, is of opinion that he, the prisoner Zoutman, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Zoutman, to suffer death, at such time and place as his Excellency the Commander-in-chief may deem fit.

S. A. Goodman,
Lieut-col. Com. &c. President.

Richd Creser, Assistant Judge Advocate.

(Approved) *Jno. Murray*, Com.-in-chief.

(Enclosure 14.)

Against Primo, Quaco, and Kate.

556. Demerara. Received, 1st May 1824.

PROCEEDINGS of a General Court Martial, held at the Colony House in George Town, on Monday the 25th day of August 1823, by virtue of a warrant, and in pursuance of an order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the United Colonies of Demerara and Essequibo, &c. &c. &c.; and continued by adjournment to the 26th of September.

President, Lieutenant-colonel STEPHEN ARTHUR GOODMAN, Commandant of the George Town Brigade of Militia.

Members.

Lieutenant-colonel Charles Wray, A. D. C. to his Excellency the Commander-in-chief.
Major Thomas Frankland, Comg Provl Batt. Dem. Militia.
Captain Richard Daniel, 21st Regiment.
Captain Edmund B. Gapper, Royal Artillery.
Captain William Lyng, 1st Batt. Dem. Militia.
Captain George Lawson, 1st Batt. Dem. Militia.
Major Henry Tulloh, 1st Batt. Dem. Militia.
Captain William Killikelly, Dep. Assist. Q. M. Gen.
Captain Thomas Fairweather, 21st Regiment.
Captain James H. Albony, R. Artillery Comp. Dem. Militia.
Captain Donald Campbell, 1st Batt. Dem. Militia.
First Lieutenant John B. Ferguson, 1st Batt. Dem. Militia.

THE Court being duly sworn; and William Young Playter, esq. having been duly sworn to interpret faithfully; proceeded to the trial of the negroes PRIMO and QUACO, and the negress KATE, of Plantation Chateau Margo, on the following Charge preferred against them:—

> CHARGE preferred by order of His Excellency Major-general John Murray, Lieutenant-governor and Commander-in-chief in and over the united colony of Demerara and Essequibo, &c. &c. &c. against the negroes *Primo* and *Quaco*, and the negress *Kate*, of Plantation Chateau Margo.

Charge:—For having, on or about the night of Monday the 18th August last, been in open Revolt and Rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for aiding and assisting others in such Rebellion.

V. A. Heyliger, Judge Advocate.

Plea:—To this charge, the prisoners pleaded Not Guilty.

1st Evidence.

George Manson, being duly sworn, deposed as follows; viz.—I am manager of Plantation Chateau Margo; I was examined before on the trial of Thomas, the carpenter. I was knocked down in the gallery of my house, as I before related. I was stunned for a few seconds by the blow; when I recovered, Primo, one of the prisoners, had hold of me by my two feet; he hauled me down to the bottom of the steps; there are five or six steps: my head was knocked against the steps as I went down, but not much hurt. Some one then called out that Mr. Thomson was going through Success' cane-piece, and Primo then called Tinne to come and take care of me, or else he would know what to do with him: Primo had no cutlass. On the Saturday, the 23d, Primo came and said he surrendered under the Governor's proclamation; he was sorry for what had passed, and that he would go to work on Monday morning. He, and six or eight others who came with him, I gave a dram to. As I was going in at the stocks door, the women gang were about the building. I saw the prisoner Kate there. I was trying to make some resistance at the door; some person was shoving me forward; and she was standing on one side; she struck me with her hand on the side of the head, and asked me how I liked it, or something to that effect. I understood afterwards that the women gang had been violent and plundering.

To question by the Court.—Primo, on the Monday, did not go to work, as he had promised; he was absent from the estate. I have not seen him since till now.

Question by the Prisoner Primo.—Are you certain I laid hands upon you?—Yes, I am certain the prisoner laid hands on me.

Question by the Prisoner Kate.—Are you positive, on your oath, it was me who slapped your face?—I am certain.

Was I not standing at the kitchen door at the time you were carried to the stocks house?—I cannot say where she was standing when I was taken to the stocks, but when I was passing the stocks room door she was there.

Was Mr. Thompson there?—Mr. Thompson was there, but could not see her at the time.

2d Evidence.

Ralph Thompson, being duly sworn, deposed as follows; viz.—I am an overseer on Plantation Chateau Margo. After I had escaped on the Monday evening, I was seized by the prisoner Quaco; he was the first who got hold of me; I think he seized me by the arm; a number then came up, and Quaco carried me away towards the stocks; when we went to the door of the stocks house, I was tied there to Mr. Manson, and then pushed up the step of the logie the stocks are in. We were put in the stocks: I saw Primo there at the time, but I did not see him do any thing. A man named Quaco locked the stocks. Quaco had a hand with others in tying me, and helped to put the rope about me when I was tied to Mr. Manson.

Question by the Prisoner Quaco.—Are you positive it was me who first laid hold of you?—He was the first whom I perceived had hold of me after I was dragged down the stairs, and the first who caught me after I ran away.

Are you sure I assisted in tying you?—Yes.

To Question from the Court.—Quaco was one of the persons who assisted in putting me in the stocks.

Prisoner Kate's Question.—Were you not in such a position as to have seen me if I had struck Mr. Manson at the stocks room door?—I cannot say what position I was in at that time, as I was hurried on, and every one pushing about me.

Were you and Mr. Manson not tied together in such a manner that you must have seen me if I had struck him?—The confusion was such that I cannot say.

3d Evidence.

Lieutenant Thomas Nurse, being duly sworn, deposed as follows; viz.—I am a Lieutenant in the Demerara militia; I was sent out with a party to attempt to take Quamina, and some other negroes supposed to be in the Bush; this was on the 10th September, at the back of Chateau Margo, behind the back dam. On Tuesday the 16th September, about four o'clock in the afternoon, some negroes were discovered by the advance; I was sent for by Captain M'Turk, and when I reached him he had these two men, Quaco and Primo, and another named Jack of Beeter Verwagting, and when I had got up Quamina was there dead, he had been shot by one of the Indians a few minutes after the capture of these men; Quaco I understood was the first man taken; Dr. M'Turk, in his presence, said that he promised to exert his influence to have his life spared him if he would lead us to the rest of the party; he promised to do so, and led him in a contrary direction to that which would have carried him to the rest of the party; Dr. M'Turk told me this, and asked the prisoner if he could deny it, and he shook his head; on the following day I heard Primo say, in answer to a question I put to him, that he would not have remained in the Bush but have returned to his work long before, but for the advice of that man, pointing to the dead body of Quamina; that he, Quamina, had told him they were entitled to their freedom; that Primo had told him that after all this work with the white men and negroes that he did not believe it, but Quamina insisted they were, and told him they might all go away and leave him as some others had done, and that they would be fools to go; that he would remain in the Bush, and that no white man should take him alive, and if they took him by surprise he would kill himself; he also told me that we should never have taken Quamina alive; Quaco and Primo repeated the same story, and told me that the day previous to their being taken they were desirous of returning to their work, but were prevented by Quamina; that they were straitened for food, and were disappointed at Jack of Success not returning to them, as they had given him money to buy fish and other provisions; I also understood from Primo that he had been absent with Quamina from Monday evening the 18th August.

Prosecution here closed.

Defence.
Primo's defence.

The prisoners being asked what they had to say in their defence, the prisoner *Primo* stated:—On the Saturday following the 18th August, Colonel Leahy read a paper to us, and we went to work; I afterwards went to the back dam, where I saw Jack, who told me I had better go with him, I might be killed if I stayed away, and I went with him; being frightened at this, made me run away.

Prisoner *Quaco*'s defence.

Quaco's defence.

On the Saturday of the Governor's proclamation of the peace we intended to do our common work; I went to fetch my blanket, and I met with Jack, who told me the white people were going to kill us all, and that I had better go with him; I was frightened at this and went with him; I can only beg the Court for mercy.

Prisoner *Kate*'s defence.

Kate's defence.

I went to my work with the other people; at the time I am accused of having struck the manager I was standing at the kitchen door, and not at the logie door.

Defence closed.

Opinion and Sentence.

THE Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoners Primo, Quaco and Kate, as well as the statement made by them in their defence, is of opinion that the prisoners Primo and Quaco are guilty of the charge preferred against them, and that the prisoner Kate is guilty of the latter part of the said charge, viz. "for aiding and assisting others in such Rebellion." And the Court does therefore sentence the prisoners Primo and Quaco, each of them, to be hanged by the neck until they be dead, at such time and place as His Excellency the Commander-in-chief may deem fit, and then to be hanged in chains. And the Court does sentence the prisoner Kate to be placed in solitary confinement for the space of two calendar months.

S. A. Goodman,
Lieut.-col. Com. &c. President.

V. A. Heyliger, Judge Advocate.

(Approved) *Jno. Murray,* Com.-in-Chief.

III.

DEMERARA.

FURTHER PAPERS;

VIZ.

Further Return to an Address of the Honourable House of Commons, dated 5th March 1824;—*for*

A Copy of the MINUTES of the Evidence on the Trial of *John Smith*, a Missionary, in the Colony of Demerara, with the Warrant, Charges, and Sentence:—*VIZ.*

COPY OF DOCUMENTARY EVIDENCE,

Produced before a General Court Martial, held at the Colony House in George Town, in Demerara, by virtue of a Warrant, and in pursuance of an Order of Major General JOHN MURRAY, Lieutenant Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo.

Colonial Department,
May 24, 1824.

R. J. Wilmot Horton.

Ordered, by The House of Commons, *to be Printed,*
24 *May* 1824.

SCHEDULE OF DOCUMENTS.

N° 1.—Produced before the Court, and read, October 21, 1823 - - - - p. 5.
N° 2. - - - - - D° - - - D° - - - - - - - ibid.
N° 3. - - - - - D° - - - D° - - - - - ibid.
N° 4. - - - - - D° - - - D° - - - - - - - ibid.
N° 5. - - - - - D° - - - D° - - - - - - - 6
N° 6.—Produced before the Court, and read, October 22, 1823 - - - - 7
N° 7. - - - - - D° - - - D° - - - - - - - ibid.
N° 8. *
N° 9.—Produced before the Court, and read, November 3, 1823 - - - 8
N° 10. - - - - - D° - - - D° - - - - - - - ibid.
N° 11. - - - - - D° - - November 4, 1823. - - - - ibid.
N° 12. - - - - - D° - - - D° - - - - - - - 9
N° 13. - - - - - D° - - - D° - - - - - - - ibid.
N° 14. - - - - - D° - - November 5, 1823 - - - - ibid.
N° 15. - - - - - D° - - - D° - - - - - - - 10
N° 16. - - - - - D° - - November 6, 1823 - - - - ibid.
N° 17. *
N° 18.—The Second part of Catechisms and Prayers for Children;—produced before the Court, and read, November 11, 1823 - - - 11
N° 19.—Produced before the Court, and read, November 12, 1823 - - - 21
N° 20. - - - - - - D° - - - D° - - - - - - ibid.
N° 21. - - - - - - D° - - - D° - - - - - - ibid.
N° 22.—Set of 9 Documents - D° - - - D° - - - - - - ibid.
N° 23.—Set of 7 Documents - D° - - - D° - - - - - - 22
N° 24. - - - - - - D° - - - D° - - - - - - 23
N° 25. - - - - - - D° - - - D° - - - - - - ibid.
N° 26. - - - - - - D° - - - D° - - - - - - ibid.
N° 27.—Fifty-seven Documents, D° - - - D° - - - - ibid.
N° 28. - - - - - - D° - - - D° - - - - - - 27
N° 29. - - - - - - D° - - - D° - - - - - - 29
N° 30. - - - - - - D° - - - D° - - - - - - 30
N° 31.—Set of 84 Documents, D° - - - D° - - - - - ibid

* It does not appear that the Documents marked N° 8. and N° 17. have been received at the Colonial Department.

Certified Copies of the CHARGES and Sentences (with the Approval thereof) in the Trials of the following Negroes:

TELEMACHUS, - - - of Bachelor's Adventure - - - - A. - - - p. 36
SANDY, - - - - - - of Nonpareil - - - - - - - - B. - - - ibid.
PAUL, - - - - - - - of Friendship, - - - - - - - - C. - - - p. 37
QUAMINA - - - - - of Nooton Zuyl - - - - - - D. - - - ibid.
JACK, - - - - - - - of Success - - - - - - - E. - - - p. 38

III

DEMERARA.

Documentary Papers produced at the Trial of Mr. John Smith, Missionary.

— N° 1. —

Sir, Fiscal's Office, Demerara, 20th November 1819.

THE inclosed to Mr. Smith, I request you to forward; a copy of the same, signed by me, also goes herewith; and I have it in command from his Excellency the Lieutenant-Governor, to request you to devise such means, and take such steps, as in discretion you will judge necessary to see the order duly complied with.

I have, &c.

M. M'Turk, esq. (s.) *Heyliger,*
Capt. 1. C. 2. B. D. M. Pl. Felicity. First Fiscal.

— N° 2. —

Sir, Fiscal's Office, Demerara, 20th November 1819.

I HAVE it in command from his Excellency the Lieutenant-Governor, to require that you shall shut the chapel of plantation Resouvenir for all negroes not belonging to said plantation, as long as the small-pox are on that plantation, in order to prevent, as much as possible, the danger of spreading the infection farther.

The captain of the division is instructed to see this order complied with.

I have, &c.

The Reverend —— Smith, (s.) *Heyliger,*
Plantation Resouvenir. First Fiscal.

— N° 3. —

Sir, Plantation Resouvenir, &c. December 11th, 1819.

AS the order of his Honor the Fiscal, which you forwarded to me about three weeks ago, involves me in a responsibility from which I wish to be disengaged, I shall be glad if you will write me a line, stating your opinion that the small-pox have ceased from among the negroes of this plantation, so as to render it not unsafe for other persons to come to the chapel.

I am, &c.

To Dr. Michael M'Turk, Burgher Captain. *John Smith.*

Addressed outside
To Dr. Michael M'Turk, Plantation Felicity.

— N° 4. —

Government Secretary's Office, George Town, Demerara,
Sir, 16th May 1823.

I AM commanded by his Excellency the Lieutenant-Governor, to transmit to you the inclosed extract of a dispatch, containing the instructions of His Majesty's Government, relative to the religious worship of the negroes on estates; and I am to request that you do, without loss of time, distribute to the proprietors or managers resident within your district, the accompanying copies thereof—with a view to their conveying the contents to the slaves under their charge.

His Excellency has directed the general circulation of these instructions throughout the colony, in consequence of his having become acquainted with the existence of a misconception, of a very serious nature, which appears to prevail amongst the negroes in some districts, and more particularly on the estates on the east coast; leading them to consider the permission of their masters unnecessary to authorize their quitting the estate on Sundays, for the purpose of attending Divine worship, a misconception of so injurious a tendency, as to render the most active measures necessary, effectually to eradicate it.

You will therefore be pleased, at the same time that you make known to the inhabitants of your district, the wish of his Excellency the Lieutenant-Governor, that the accompanying instructions on this head should be complied with in every particular; to acquaint them, that his Excellency, considering the beneficial consequences which cannot fail to result from the general and judicious extension of religious sentiments among the slaves, feels it a duty incumbent upon him strongly to recommend, that nothing less than a very urgent necessity should induce the planters to refuse passes to such of their slaves as are disposed to attend Divine worship every Sunday.

Aware of the possibility of abuses arising out of these indulgences, his Excellency would recommend a system of prevention, as preferable to that of punishment after transgression; and he is of opinion, that any possible abuse might be effectually checked, were the slaves accompanied to the place of meeting by an overseer, or other white person, which would be in other respects advantageous, by enabling the planter to judge of the doctrine held forth to his slaves.

You will further be pleased to make known to the slaves, that whilst his Excellency feels a strong disposition to encourage the propagation of religious knowledge among them, by every means sanctioned by the laws—he will be found equally determined in checking frivolous and ill-founded complaints on their part, if persevered in.

I have, &c.

Captain M'Turk, D. M.
Plantation Felicity, East Coast.

(s.) *John Murray,*
Gov. Sec.

— N° 5. —

Government Secretary's Office, George Town, Demerara,
16th May 1823.

Sir,

I Am commanded by His Excellency the Lieutenant-Governor, to transmit to you the inclosed extract of a dispatch, containing the instructions of His Majesty's Government, relative to the religious worship of the negroes on estates; and I am to request that you do, without loss of time, distribute to the proprietors or managers resident within your district, the accompanying copies thereof—with a view to their conveying the contents to the slaves under their charge.

His Excellency has directed the general circulation of these instructions throughout the colony, in consequence of his having become acquainted with the existence of a misconception, of a very serious nature, which appears to prevail amongst the negroes in some districts, and more particularly on the estates on the East Coast; leading them to consider the permission of their masters unnecessary to authorize their quitting the estate on Sundays, for the purpose of attending Divine worship—a misconception of so injurious a tendency, as to render the most active measures necessary, effectually to eradicate it.

You will therefore be pleased, at the same time that you make known to the inhabitants of your district, the wish of His Excellency the Lieutenant-Governor, that the accompanying instructions on this head should be complied with in every particular; to acquaint them that his Excellency, considering the beneficial consequences which cannot fail to result from the general and judicious extension of religious sentiments among the slaves, feels it a duty incumbent upon him strongly to recommend, that nothing less than a very urgent necessity should induce the planters to refuse passes to such of their slaves as are disposed to attend Divine worship every Sunday.

Aware of the possibility of abuses arising out of these indulgences, his Excellency would recommend a system of prevention, as preferable to that of punishment after transgression; and he is of opinion, that any possible abuse might be effectually checked, were the slaves accompanied to the place of meeting by an overseer, or other white person—which would be in other respects advantageous, by enabling the planter to judge of the doctrine held forth to his slaves.

You will further be pleased to make known to the slaves, that whilst his Excellency feels a strong disposition to encourage the propagation of religious knowledge among them, by every means sanctioned by the laws—he will be found equally determined in checking frivolous and ill-founded complaints on their part, if persevered in.

I have, &c.

(s.) *John Murray,* Gov. Sec.

Extract of a Dispatch from His Majesty's Principal Secretary of State for the Colonies, bearing date Downing-street, 15th October 1811.

" IT must in the first place be understood, that no limitation or restraint can be enforced
" upon the right of instruction and of preaching on particular estates; provided the
" meetings for this purpose take place upon the estate, and with the consent and appro-
" bation of the proprietor or overseer of such estate.

“Secondly, As it has been represented that on Sundays inconvenience might arise from confining the hours of meeting in chapels or places of general resort, to the period between sun-rise and sun-set; it may be proper that on Sundays, the power of assembling should be extended to certain hours of the day, viz. from five in the morning till nine at night—and on the other days of the week, the slaves should be allowed to assemble for the purpose of instruction or Divine worship, between the hours of seven and nine at night, on any neighbouring estate to that to which they belong, provided such assembly takes place with the permission of the owner, attorney, or manager of the slaves, and of the owner, attorney, or manager of the estate on which such assembly takes place.

“Thirdly, To prevent any possible abuse, it may be advisable that all chapels and places destined for Divine worship of public resort, should be required to be registered. The names of the persons officiating in them, should be made known to the governor, and the doors of the places should be opened during the time of public service or instruction.”

“Governor Bentinck, &c. &c. &c.” (s) “Liverpool.”

A true extract, *John Murray*, Gov. Sec.
13th May 1823.

—N° 6.—

Felicity, 23d December 1819.

IN consequence of a number of cases of small-pox having occurred on plantation Le Resouvenir, it was deemed necessary by Government to prevent the neighbouring estates negroes from attending the chapel on that estate for a time, in an order from the Fiscal, addressed to the Reverend Mr. Smith, dated the 30th November, (a copy of which I was furnished with), at the same time I was instructed to see that order complied with, which will appear by the following extract of a letter from his Honor the Fiscal, “and I have it in command from his Excellency the Lieutenant-Governor, to request you to devise such means, and take such steps, as in discretion you will judge necessary, to see the order duly complied with.”

And whereas there is every reason to believe, from a concatenation of circumstances, that that malady is still on that estate; and as the order has been most wantonly and daringly insulted by the person to whom it was addressed, I think it prudent, acting on the above authority, to give notice to the estates within this command; that that order is still in force, and to request that the negroes may be prevented from visiting or frequenting the estates Le Resouvenir and Felicity, where the small-pox has occurred, during the approaching Christmas holydays; and it is equally incumbent on those interested in those estates, to prevent their negroes going abroad during the same period.

(s) *Michael M^c Turk,*
Captain 1st Com^y 2d bat. Dem^y Militia.

Pl. Brothers.
— Vryheids Lust.
Pl. Better Hope.
Pl. Plaisance.
Pl. Goed Verwagting.
Pl. Wittenberg.
— Industry.
— Cumings (Lodge).
Pl. Turkeyen.
Pl. Sophia.
— Bel Air.
Pl. Thomas.
Pl. Kitty.
Pl. Lebundaal.

—N° 7.—

To Jackey Reed,

I Am ignorant of the affair you allude to, and your note is too late for me to make any inquiry. I learnt yesterday that *some* scheme was in agitation, but without asking questions on the subject, I begged them to be quiet; and trust they will.

Hasty, violent, or unconcerted measures are quite contrary to the religion we profess, and I hope you will have nothing to do with them.

Yours, for Christ's sake, (s) *I. S.*

True Copies.

I. A. Goodman,
Lt. Col. & President.

I. L. Smith, jun.
Ass^t Judge Advocate.

—N° 8.—

— N°. 9. —

Sir, Plantation le Resouvenir, 19th December 1819.

IN answer to your letter, received this morning, I have to inform you, that from the time that I reported to you the last two negroes as having the small-pox, to my certain knowledge there was no attendance by aney negroes from the nighbouring estates to the chapel, untill the small-pox was concedred by you and me, and everey person on this estate, as demolished; but since that time there has been people attending frequently, which you have had the oppertunety to se, as well as mysilf, for I have not been in the chaple lately.

I am, &c.

To Captain M'Turk,
Commander of 2d Bat. Demerara Militia.

John Hamilton.

— N° 10. —

Sir, Felicity, 20th December 1819.

YOUR reply to my letter of yesterday morning is neither explicit nor satisfactory; it is not for you to enter into the merits of a case which you are not acquainted with, and of course ignorant, particularly of my instructions from the executive government.

Your assertion, as to my opinion of the small-pox being eradicated from Plantation le Resouvenir, and your report of the two last cases (which you refer to, but which I never received), is incorrect, and entirely irrelevant to the nature of my request.

What your opinion, and others, on Le Resouvenir may be, regarding that disease, is a matter of no consequence; but as it is a subject which Government has taken up (and a prudent one it is) and by its commands a restriction has been laid on these meetings for a time; it is therefore your duty to give every facility in forwarding the object it has in view, adopted solely for the benefit of the community.

I conclude, therefore, and understand by your letter, that meetings of the negroes from the neighbouring estates have taken place at the chapel of Le Resouvenir, anterior to the date hereof.

In consequence of which, I have to direct, that you make yourself acquainted with the days of meeting (and nights also), and ascertain whether they continue to be frequented by negroes not belonging to the estate, and report to me accordingly; in case they are, that measures may be adopted to prevent the violation and wanton abuse of Government orders.

I have, &c.

To Mr. Hamilton,
Manager Plantation le Resouvenir.

(s.) *Michael M'Turk,*
Capt. 1st Com. 2d Bat. D. M.

— N° 11. —

Dear Sir, Success, 5th February 1822.

I DESIRED Quamina yesterday, as I understood he was to go over last night, to mention to you, that I received rather an unpleasant letter from Mr. Coming, on Sunday, regarding his son Jack and his wives, and I now beg leave to inclose the same letter for your perusal; besides those Mr. C. mentions, Mr. Manson told me yesterday, he knew of two or three other women on Chateau Margo Jack occasionally cohabits with; as for my woman Gracy, he has ruined her; she hardly does any thing for me, and I shall now be under the necessity of sending her to work in the task gang, although I know she has not been accustomed to such work, but I cannot help it; I have told Jack and her repeatedly of the impropriety of their connection, and once punished them by confining them both in the stocks for some time, when they declared they should never be guilty of the same crime after that period, and I believe I have been told, you once or twice gave them a severe lecture on this subject. His father, Quamina, seems to be very much hurt at his son's shameful conduct, although he acted rather hastily to me yesterday morning, for which I found it necessary to confine him for a short period, and if I had punished him I would have been justified, and certainly his son was the original cause of all this. Under all these circumstances, I feel it incumbent on me to request you to chastise Jack and Gracy, as far as becomes you as a minister; the idea of a married man turning out his wife, and bringing in another woman in her presence, and to her own bed, is to me horrid; with hopes you will excuse me for thus troubling you, and that you will consider it as meant for both Jack and Gracy's future good.

I am, &c.

My best respects to Mrs. Smith.

(s.) *John Stewart.*

Addressed, The Rev. J. Smith, Plantation Resouvenir.

—N° 12.—

Dear Sir, Plantation Success, 14th December 1822.

THE bearers, Con and Dingwall, have been applying to me for two or three weeks back, in order to get a note to you so as to be baptised, and I always told them, their conduct some time ago have been such, which I suppose you recollect, as put it out of my power to give them a good character. However, as they both seem now to be sorry for it, I have no objections that they may be admitted, provided you think it proper.

I am, &c.

Addressed outside, *John Stewart.*

Rev. J. Smith, Plantation Le Resouvenir.

—N° 13.—

Dear Sir, Plantation Success, 12th April 1822.

I KNEW nothing of Ben being absent from his master's work yesterday till about seven o'clock this morning, when Cooper Jack, who took upon himself to send him, came and told me, he sent Ben to the water-side yesterday, and that he did not return. I suppose he must have heard of what happened, or I should not have been informed any thing upon the subject. It was certainly a bold attempt of Mr. Ben, even to enter your yard at such a late hour at night, and much more what you mention. You may depend on it he shall not pass without punishment for this, and I shall do my best to prevent him from troubling you again on a similar occasion; the fellow cohabits with one of the finest and best disposed girls on Success, but it seems she is not enough for him. I have often seen him coming from there early in the mornings, but he always made me believe, that he was over learning to read. I think Mathews ought to be punished also, he had no business to receive such people into his house; with best respects to Mrs. Smith,

I am, &c.

I return your book with many thanks. (s.) *John Stewart.*

Addressed,

Rev. J. Smith, Plantation Le Resouvenir.

—N° 14.—

Le Resouvenir, 19th January 1820.

WE, the undersigned, having been present at a conversation between Captain M'Turk and the Reverend Mr. Smith, on the night of the 24th ultimo, of which the following is the purport, and to which we are ready to make oath:—

"That Mr. Smith protested against the conduct of Captain M'Turk, in endeavouring to "prevent the negroes of the neighbouring estates from attending the chapel of plantation "Le Resouvenir; that Captain M'Turk had no authority for so doing, and insisted that "he had such documents from the Fiscal in his possession, as authorized him to preach to "whom he pleased, and without restraint.

"When Captain M'Turk stated to Mr. Smith, that if he had such documents from the "Fiscal to the effect he asserted, to produce them, or otherwise he would hold him responsible "for any measures he might adopt for carrying the Fiscal's orders into effect; that "he was not aware of any communication to him (Mr. Smith) than what he (Captain "M'Turk) had forwarded, and as he had received none, and had been commanded to see "the restriction laid on the chapel of Le Resouvenir duly complied with, he found it his "duty to prevent that restriction from being infringed on; and as he had informed the "Fiscal of his proceedings on the above estate, he could not allow him to convoke the "negroes of the neighbourhood, until he had heard from the Fiscal, particularly as two "cases of small-pox had occurred on the estate, and had gone through that disease in the "negro houses.

"Mr. Smith allowed that he had no communication from the Fiscal, than that which "Captain M'Turk had forwarded him; but said he had influence over the negroes minds, "which influence was great, and he would use that influence to bring the negroes of the "neighbourhood to the chapel the two following days (the Christmas holidays), and preach "to them in defiance of all power or authority he (Captain M'Turk) possessed.

"Captain M'Turk then observed, that he should take good care he did not, and cautioned "him against such conduct, and said he would regret if he was driven to alternative "means to prevent him; but he (Mr. Smith) continued firm in his determination; when "Captain M'Turk left him, saying, he was also determined to repel such meetings.

"*James Donald.*

"*John Hamilton.*"

—N° 15.—

Sir, Dochfour, September 9th, 1822.

HAVING given mature consideration to the subject of your request, that I would dispose of a piece of land in front of plantation Lowlands, for the purpose of erecting a chapel for the accommodation of the negroes in this neighbourhood; I am induced to offer the same as a gift, and to aid the building of a chapel by my subscription, and any other assistance in my power, on the following conditions:—

1st. That such chapel or place of meeting shall be erected with the consent and approbation of his Excellency the Governor,

2d. That you bind yourself under penalty of forfeiture and removal of the building, not to perform divine service on any evening of the week, nor on any other days, except Sundays and holidays.

3d. That the second condition shall be ratified by the directors of the London Missionary Society, to whom you refer on subjects connected with your mission.

I beg to state distinctly, that by insisting as I do *peremptorily*, on the fulfilment of the second condition, I by no means wish to check a proper sense of religion among our negroes, but that I do so from the conviction, that meetings in the evenings of week days, will have a bad effect, by taking the well-disposed negroes from their homes, and furnishing those of a different character with a pretext for being absent likewise. I think, too, that the Sabbath, which is set apart by our holy ordinance, is sufficient for the purpose of *public worship*, particularly in a community constituted as this is.

I am with respect, Sir,
Your obedient servant,
(Addressed) Mr. Smith Le Resouvenir. (s.) *John G. Reed.*

—N° 16.—

To the Committee of the British and Foreign Bible Society.

London, 17th September 1817.

BOUGHT of Richard Cockle, depository to the British and Foreign Bible Society, No. 10, Earl-street, Blackfriars.

To the Reverend Mr. Smith, Demerara.

502.

		£.	s.	d.
10 Small pica Bibles, cf.	a 12/	6	–	–
40 Brevier Bibles, cf.	a 7/9	15	10	–
20 Pica Testaments, cf.	a 4/6	4	10	–
80 Brevier Testaments, sp.	a 1/8	6	13	4
Case		–	14	6
Bills lading and shipping expenses		–	18	–
Freight		–	17	6
Insurance		–	16	–
		£. 35	19	4

Per the Ranger, Michl Rimington.

Bible Society's House, Earl-street, Blackfriars.

Dear Sir, London, September 27th, 1817.

I HAVE the pleasure to hand you an invoice and bill of lading, of 50 Bibles and 100 Testaments, which, at the request of the directors of the Missionary Society, the committee of the British and Foreign Bible Society, have placed at your disposal for sale, or gratuitous distribution, according to your discretion.

The invoice will inform you the cost of each book, which may be some guide to you in fixing prices on them, which may vary according to the circumstances of the applicants; it being found, that where something, however small, is paid, the purchaser esteems it more than if given gratuitously. The committee would not, however, deprive the poorest negro, who would read, of the pleasure and profit to be derived from the use of a Bible received as a gift.

You will have the goodness to furnish me with an account of the manner in which you dispose of them, and remit, through the treasurer of the Missionary Society, whatever amount may arise from the sale of any portion thereof.

I remain, &c.
Addressed, Mr. Smith, Demerara. (s.) *Josh Tarn,* Assistant Secretary.
Invoice per the Ranger.

True Copies,
J. L. Smith, jun. *S. A. Goodman,* Lt. Col.
Assistant Judge Advocate.

—N° 17.—

—Nº 18.—

The Second Set of CATECHISMS and PRAYERS for Children; by I. Watts, D.D.

The Second Catechism.

1. DEAR Child, do you know what you are?—I am a creature of God, for he made me both body and soul.

Isa. xlv. 11, 12. Thus saith the Lord,—I have made the earth, and created man upon it. Job x. 11, Thou hast clothed me with skin and flesh, and fenced me with bones and sinews. Zech. xii. 1, The Lord—who formeth the spirit of man within him.

2. How do you know you have a soul?—Because I find something within me that can think and know, can wish and desire, can rejoice and be sorry, which my body cannot do.

Job xxxii. 8, There is a spirit in man. Job xxxv. 11, Who teacheth us more than the beasts of the earth, and maketh us wiser than the fowls of heaven. Prov. xxiii. 7, As he thinketh in his heart, so is he. Prov. ii. 10, Knowledge is pleasant to thy soul. Isa. xxvi. 8, The desire of our soul is to thy name. Psalm xxxv. 9, My soul shall be joyful in the Lord. Matt. xxvi. 38, My soul is exceeding sorrowful.

3. Wherein doth your soul differ further from your body?—My body is made of flesh and blood, and it will die; but my soul is a spirit, and it will live after my body is dead.

See Answ. 1. Luke xxiv. 39, A spirit hath not flesh and bones. Job xxxiv. 14, 15, If he gather to himself the spirit and his breath, all flesh shall perish together, and man shall return again to dust. Eccles. xii. 7, Then shall the dust return to the earth as it was, and the spirit to God who gave it. Matt. x. 28, Fear not them who can kill the body, but are not able to kill the soul.

4. For what purpose did God make you such a creature, with a body and soul?—To know him, and serve him here on earth, that I may dwell with him, and be happy hereafter in heaven.

What is written in Isa. xliii. 21, may be applied to all mankind, namely, This people have I formed for myself, they shall (or should) show forth my praise. Psalm lxxiii. 24, Thou shall guide me with thy counsel, and afterwards receive me to glory. Psalm xvi. 11, In thy presence is fulness of joy.

5. How must you learn to know God and serve him?—By the holy scriptures of the Old and New Testament, which are the word of God.

2 Tim. iii. 16, All scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for instruction in righteousness. Luke xvi. 29, They have Moses and the Prophets; let them hear them. 2 Pet. iii. 2, That ye may be mindful of the words which were spoken before by the holy Prophets, and of the commandment of us the Apostles of the Lord and Saviour. 2 Tim. iii. 15, From a child thou hast known the holy scriptures, which are able to make thee wise unto salvation.

6. What do the scriptures teach you of the knowledge of God?—The scriptures teach me what God is in himself, and what he is in relation to us, who are his creatures.

[*See* the Scriptures under the two following questions.]

7. Who is God, considered in himself, or in his own nature?—God, in his own nature, is a spirit every where present, without beginning and without end, most wise and powerful, most holy and merciful, most just and true.

John iv. 24, God is a spirit. Jer. xxiii. 24, Can any hide himself in secret places that I shall not see him, saith the Lord? Do not I fill heaven and earth? Psalm xc. 2, From everlasting to everlasting thou art God. Rom. xvi. 27, To God only wise be glory. Rev. iv. 8, Lord God Almighty which was, and is, and is to come. Isa. vi. 3, Holy, holy, holy, is the Lord of Hosts. Exod. xxxiv. 6, The Lord, the Lord God, merciful and gracious. Deut. xxxii. 4, A God of truth, and without iniquity, just and right is he.

8. What is God in relation to us, who are his creatures?—As the great God is our maker who gave us our being, so he continually preserves us and does us good. He is our Lord and Ruler, and will be our Judge at last.

Psalm c. 3, Know ye that the Lord he is God, it is he who hath made us, and not we ourselves. Psalm xxxvi. 6, O, Lord, thou preservest man and beast. Psalm cxix. 68, Thou art good and doest good. Psalm ciii. 19, The Lord hath prepared his throne in the heavens, his kingdom ruleth over all. Psalm l. 6, God is judge himself.

9. And how do the scriptures teach you to serve God?—I must serve God by keeping all his commandments, that is, by doing every thing that he desires of me, and avoiding every thing that he forbids me.

Deut. x. 12, 13, What doth the Lord thy God require of thee? To keep the commandments of the Lord. Exod. xxiv. 3, All the words which the Lord hath said will we do. Psalm cxix. 101, I have refrained my feet from every evil way, that I might keep thy word.

10. What commandments has God given to men?—He gave the law of the ten commandments to the Jews in the Old Testament, and they are summed up in two commandments for us in the New Testament.

Deut. x. 4, And he wrote on the tables (of stone) the ten commandments which the Lord spake unto you in the Mount. Matt. xxii, 40, On these two commandments hang all the law and the prophets. *See* Quest. 21.

11. Repeat the ten commandments of God in short, which he gave in the Old Testament.* What is the first commandment?—Thou shalt have no other Gods before me.
12. What is the second commandment?—Thou shalt not make to thyself any graven image, or the likeness of any thing in heaven or earth, to bow down and worship it.
13. What is the third commandment?—Thou shalt not take the name of the Lord thy God in vain.
14. What is the fourth commandment?—Remember the sabbath day to keep it holy.
15. What is the fifth commandment?—Honour thy father and thy mother, that thy days may be long.
16. What is the sixth commandment?—Thou shalt do no murder.
17. What is the seventh commandment?—Thou shalt not commit adultery.
18. What is the eighth commandment?—Thou shalt not steal.
19. What is the ninth commandment?—Thou shalt not bear false witness against thy neighbour.

20. What is the tenth commandment?—Thou shalt not covet any thing that is thy neighbour's.

[*See* all these commandments at large in the twentieth chapter of Exodus, from the first verse to the eighteenth,]

21. What is the sum of the ten commandments which is given us in the New Testament?—The sum of these ten commandments is, thou shalt love the Lord thy God with all thy heart, and thou shalt love thy neighbour as thyself. †

Matt. xxii. 37, 38, 39, Jesus said unto him, thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment; and the second is like unto it, thou shalt love thy neighbour as thyself. On these two commandments hang all the laws and the prophets.

† The nine following Questions and the Answers are employed in duties and sins relating to God and Man, because this matter comes more within the knowledge and practice of children: Perhaps this account may be thought too long by some persons in so short a Catechism. To others it may not seem so complete and particular as they might expect, because the repetition of those particulars which are plainly and clearly expressed in the very words of the Ten Commandments is avoided here. Repetitions of the same thing are not needful in such a compendium, or short view of religion.

22. What do you mean by loving God with all your heart?—To love God with all my heart, is to have the highest and best thoughts of him; to desire his favour above all things, and delight to please him always.

Nehem. xi. 5. Thy glorious name is exalted above all blessing and praise. Psalm lxxiii. 25. Whom have I in heaven but thee? And there is none upon earth that I desire besides thee. Psalm lxii. 3. Thy loving kindness is better than life. Psalm xl. 8. I delight to do thy will. O my God, yea, thy law is within my heart.

23. How must you shew your love to God?—By these three things:

‡ 1. By paying him constantly the worship that he requires of me.
2. By doing heartily whatsoever he commands me.
3. By bearing patiently what he suffers to befal me.

---

* It is thought more proper in a catechism for children to give the Ten Commandments in short, and not to write them down here in full length, which is not so needful for children, and would burthen their memories. Christ himself and St. Paul have done the same thing when they rehearsed several of these Commandments. *See* Matt. xix. 18, and Rom. xiii, 9.

Note.—A particular account of what is required, and what is forbidden, in these Commandments, may be seen in the Assembly's Catechism.

‡ *Note.*—Wheresoever the answer is divided into parts by figures (1) (2) (3), the teacher may repeat the question at every figure, and thus make the child's answer more easy. As Q. "What is the first thing whereby you must shew your love to God." "What is the second thing, &c."

(1) Deut. vi. 13, and Matt. iv. 10. Thou shalt worship the Lord thy God, and him only shalt thou serve. Psalm v. 7. In thy fear will I worship toward thy holy temple.

(2) Exod. xxxiv. 11, Observe thou that which I command thee. Psalm cxix. 34, I shall keep thy law, yea, I shall observe it with my whole heart.

(3) Rom. xii. 12, Patient in tribulation. Micah vii. 9, I will bear the indignation of the Lord, because I have sinned against him.

24. What worship does God require of you?—I must hearken diligently to his holy word, and praise him for his greatness and goodness; I must pray to him daily for what mercies I want, and give him thanks for what I receive.

Deut. xxviii. 1, If thou shalt hearken diligently to the voice of the Lord thy God, he will set thee on high. Psalm lxxxv. 8, I will hear what God the Lord will speak. Psalm cxlv. 3, Great is the Lord, and greatly to be praised. Psalm cxxxv. 3, Praise ye the Lord, for he is good. Col. iv. 2, Continue in prayer, and watch in the same with thanksgiving. Psalm lv. 17, Evening and morning and at noon will I pray. Psalm cxviii. 1, O give thanks to the Lord, for he is good. Eph. v. 20, Giving thanks always for all things unto God.

25. And what do you mean by loving your neighbour as yourself?—To love my neighbour as myself, is to do to all other persons as I could reasonably desire them to do to me, if I were in their place.

Matt. vii. 12, All things whatsoever ye would that men should do unto you, do you even so to them, for this is the law and the prophets.

26. How must ye shew your love to your neighbour?—These three ways:

1. By honouring and obeying those which are set over me.
2. By speaking the truth, and dealing honestly with all which are about me.
3. By wishing well and doing good to all mankind, whether they be friends, strangers, or enemies.

(1.) Rom. xiii. 1, Let every soul be subject to the higher powers. Heb. xiii. 17, Obey them that have the rule over you.

(2.) Eph. iv. 25, Let every man speak truth with his neighbour. Rom. xiii. 17, Render to all their dues. Rom. xii. 27, Provide things honest in the sight of all men.

(3.) Ver. 10. Be kindly affectionate one to another. Gal. vi. 10, Let us do good to all men, especially to the household of faith. 1 Pet. ii. 17, Love the brotherhood. Deut. x. 19, Love ye the stranger. Matt. v. 44, Love your enemies; do good to them that hate you.

27. You have told me the duties you must do; can you tell me also the sins that you must avoid?—I must avoid all the sins of the heart, the sins of the tongue, and the sinful actions of life.

Prov. iv. 23, Keep thy heart with all diligence. Matt. xv. 19, Out of the heart proceed evil thoughts. Psalm xxxiv 13, Keep thy tongue from evil. Ver 14, Depart from evil, and do good. Col. iii. 9, Ye have put off the old man, (that is, sinful nature) with his deeds.

28. What are the sins of the heart?*—The sins of the heart are these: a neglect of God, pride and stubbornness, malice, envy, with all other unruly passions.

Psalm x. 4, The wicked will not seek after God, God is not in all their thoughts. Prov. xvi. 5. Every one that is proud in heart is an abomination to the Lord. Jer. vii. 24, They walked in the imagination (or stubbornness) of their evil heart. Eph. iv. 31, Let all bitterness and wrath be put away from you with all malice. Gal. v. 26, Let us not be desirous of vain glory—envying one another. Matt. xv. 19, Out of the heart of man proceed evil thoughts. Gal. v. 24, They that are Christ's, have crucified the flesh with its affections (or passions) and lusts. Matt. v. 22, Whosoever is angry with his brother without a cause, shall be in danger of the judgment.

29. What are the chief sins of the tongue?—The chief sins of the tongue are swearing and cursing, abusing the name of God, or any thing that is holy, scoffing and calling ill names, lying and filthy speaking.

James v. 12, Above all things, my brethren, swear not. Rom. xii. 14, Bless, and curse not. Levit. xiv. 12, Neither shalt thou profane the name of thy God. 2 Pet. iii. 3, Scoffers walking after their own lusts. Prov. xix. 29, Judgments are prepared for scorners. Matt. v. 22, Whosoever shall say, thou fool, shall be in danger of hell-fire. 1 Pet. iii. 9, Not rendering railing for railing. Col. iii. 8, Put off all these, anger, wrath, malice, blasphemy, filthy communication out of your mouth: Lie not one to another.

---

* It would have been too tedious and improper here to enumerate every particular sin of heart, lip, and life. Such only are mentioned as children may understand, and of which children are sometimes guilty.

30. What are those sinful actions that you must avoid?—Sinful actions are such as these, gluttony, drunkenness and quarrelling, wanton carriage and mis-spending of time, especially the Lord's-day, doing dishonour to God or injury to man.

Luke xxi. 34, Take heed to yourselves, lest at any time your hearts be overcharged with surfeiting and drunkenness. James iv. 1, Whence come wars and fightings among you? Come they not of your lusts? 1 Thess. iv. 11, Study to be quiet, and to do your own business. Rom. xii. 11, Be not slothful in business. Rom. xii. 3, Not in rioung and drunkenness, nor in chambering and wantonness. Rom. ii. 23, Through breaking the law thou dishonourest God. Rom. xiii. 9, 10, Love thy neighbour as thyself. Love worketh no ill to his neighbour.

31. Have you never broken the commandments of God and sinned against him?—My own heart and conscience tell me that I have broken God's holy commandments, and sinned against him both in thought, word and deed.

Prov. xx. 9. Who can say, I have made my heart clean, I am pure from sin? James iii. 2, If any man offend not in word, the same is a perfect man. In many things we offend all. Eccles. vii. 20, There is not a just man upon earth, that doeth good and sinneth not.

32. How do you know that you have sinned in thought, word and deed, against the blessed God?—I have let evil thoughts run too much in my mind, and spoken too many evil words: I have too often done such deeds as are evil, and neglected what is good.

[See the Scriptures under the former question.]

33. Whence comes it to pass that you have been such a sinner?—I was born into the world with inclinations to that which is evil, and I have too much followed those inclinations all my life.

Psalm ii. 5. Behold I was shapen in iniquity, and in sin did my mother conceive me. Gen. viii. 21, The imagination of man's heart is evil from his youth. Eph. ii. 3, We all had our conversation in times past in the lusts of the flesh, fulfilling the desires of the flesh and of the mind, and were by nature the children of wrath, even as others.

34. How came you to be born to such inclinations to evil?—All mankind are born in sin because they came from *Adam*, the first man that sinned against God.

Job xiv. 4. Who can bring a clean thing out of an unclean? Not one. Job xv. 14, What is man that he should be clean? or he who is born of a woman, that he should be righteous? Rom. v. 12, By one man sin entered into the world. Ver. 19, By one man's disobedience many were made sinners.

35. But why did you follow these evil inclinations? Was it not your duty to resist them when you knew they were evil?—I ought to resist every sinful inclination, and therefore I have no sufficient excuse for myself before the great God.

Rom. iv. 12, Let not sin reign in your mortal body, that you should obey it in the lusts thereof. Rom. i. 20, 21, They are without excuse, because when they knew God they glorified him not as God, but became vain in their imaginations. Rom. ii. 19, Every mouth shall be stopped, and all the world become guilty before God.

36. What do you deserve because of your sins?—My sins have deserved the wrath and curse of the Almighty God who made me.

Ephes. v. 6, Because of these things cometh the wrath of God upon the children of disobedience. Gal. iii. 10. Cursed is every one that continues not in all things which are written in the book of the law, to do them. Isa. xxvii. 11, He that made them will not have mercy on them.

37. Is the wrath of God terrible that you cannot bear it?—The wrath of God is terrible indeed, for it can make sinners suffer all the miseries of this life, the pains of death, and the torments of hell for ever.

Nehem i. 6, Who can stand before his indignation? and who can abide the fierceness of his anger. Rom. i. 32, The judgment of God is, that they who commit such things are worthy of death. Luke xii. 5, Fear him who after he hath killed, hath power to cast into hell. Mark ix. 45, Into the fire that never shall be quenched.

38. How do you hope to escape God's wrath, which your sins have deserved?—God is merciful, and has sent Jesus Christ into this world, to become the Saviour of sinful creatures, as the Gospel teacheth us.

John iii. 17, God sent not his son into the world to condemn the world, but that the world through him might be saved. Mat. i. 21, Thou shalt call his name Jesus, for he shall save his people from their sins. 1 Thess. i. 10, Jesus which delivereth us from the wrath to come. 1 Tim. i. 15, This is a faithful saying, and worthy of all acceptation, that Jesus Christ came into the world to save sinners.

39. What is the Gospel?—The Gospel is the glad tidings of the way of salvation by Jesus Christ, which was foretold in the Old Testament, but is plainly revealed in the New.

Gal. iii. 8, The Scriptures foreseeing that God would justify the heathen through faith, preached before the Gospel unto Abraham, saying, in thee shall all nations be blessed, that is, ver. 16, In thy seed, which is Christ. Luke ii. 10, I bring you good tidings of great joy—for unto you is born this day a Saviour, who is Christ the Lord. See 1 Cor. xv. 1, 3, 4. Rom. iii. 21, 22. Mark xxi. 15. 16.

40. Who is Jesus Christ?—Jesus Christ is the son of God, who was with God before the world was made: but he became the son of man, and dwelt with men above eighteen hundred years ago.

John x. 36, I said, I am the Son of God. John xvii. 5, Now, O Father, glorify thou me with the glory which I had with thee before the world was. John i. 1, 14, In the beginning was the word, and the word was with God—and the word was made flesh, and dwelt among us. John v. 27, He is the Son of Man.

41. But is not Jesus Christ God as well as man?—Though he be man, yet he is God also; for he is a glorious person in whom God and man are joined together, and his name is "IMMANUEL," or God with us.

John i. 1, The word was with God, and the word was God. 1 Tim. ii. 5, There is one God, and one mediator between God and man, the man Christ Jesus. Col. ii. 9, In him dwelleth all the fullness of the Godhead bodily. Rom. ix. 5, Who is over all God blessed for ever. Matt. i. 23, A virgin shall bring forth a son, and they shall call his name Immanuel, which being interpreted is, God with us. 1 Tim. iii. 16, God was manifest in the flesh.

42. What did Jesus Christ do on earth to save sinners?—He did three things:

(1.) He made known to men the will of God by his preaching.
(2.) He set them a pattern of holiness by his own practice.
(3.) He obtained pardon of sin and everlasting life for them by his obedience unto death.

(1.) Isa. lxi. 1, The Lord hath appointed me to preach good tidings, that is, the Gospel. John xv. 15, All things that I have heard of my father have I made known unto you.
(2.) John xiii. 15, I have given you an example, that ye should do as I have done unto you. 1 Pet. ii. 21, Christ suffered for us, leaving us an example, that we should follow his steps.
(3.) Phil. ii. 8, He became obedient unto death, even the death of the cross. Rom. v. 19, By the obedience of one shall many be made righteous.

Heb. ix. 12, By his own blood he entered into the holy place, having obtained eternal redemption for us. 1 John i. 7, 9, He is faithful and just to forgive us our sins; and the blood of Jesus Christ his son cleanseth from all sin.

43. How could Christ obtain pardon and life for us by his doing or suffering?—Our sins had deserved death, but Christ was the Son of God, and perfectly righteous, and God appointed him to suffer death to take away our sins, and to bring us into his favour.

Rom. vi. 23, The wages of sin is death. 1 Pet. iii. 18, Christ hath once suffered for our sins, the just for the unjust, to bring us to God. 2 Cor. 5, 21, He that knew no sin was made sin for us; (that is, a sacrifice for sin.) 1 Cor. xv. 3, Christ died for our sins according to the Scriptures. 1 John ii. 2, Jesus Christ the righteous—he is the propitiation for our sins. 1 John iii. 3, He was manifested to take away our sins. Rom. v. 10, When we were enemies, we were reconciled to God by the death of his son.

44. Is Jesus Christ now among the dead?—No; he arose from the dead on the third day, and afterwards went up to heaven, to dwell at the right hand of God.

1 Cor. xv. 4, He was buried, and he rose again the third day. Eph. i. 20, God raised him from the dead, and set him at his own right hand in the heavenly places.

45. What is Christ now doing in heaven?—He pleads with God his father to bestow mercy on men, and he rules over all things for the good of his people.

Isa. liii. 12, He bare the sins of many, and made intercession for the transgressors. 1 John ii. 1, If any man sin we have an advocate with the Father, even Jesus Christ the righteous. Eph. i. 17, 22, The God of our Lord Jesus Christ gave him to be head over all things to the church. Acts x. 36, He is Lord of all.

46. What must you do to become one of his people, and to partake of his mercy?—I must repent of my sins, and confess them before God, and ask pardon for them; I must have faith in Christ as my Saviour, and obey him as my Lord and Ruler.

Acts viii. 22, Repent of thy wickedness, and pray God, if perhaps the thought of thy heart may be forgiven thee. Prov. xxviii. 13, Whoso confesseth and forsaketh his sins, shall find mercy. Luke xi. 4, Forgive us our sins. Acts xvi. 31, Believe on the Lord Jesus Christ, and thou shalt be saved and thy house. Acts v. 31, Him hath God exalted with his right hand to be a Prince and a Saviour. Heb. v. 9, He became the author of eternal salvation to all that obey him.

47. What is it to repent of sin?—To repent of my sins is to be sorry at my heart that I have offended God, to hate every thing that displeases him, and to take heed that I offend him no more.

Psalm xxxvii. 11, I will be sorry for my sin. 2 Cor. vii. 10, Godly sorrow worketh repentance. Psalm cxix. 104, I hate every false way. Job xxiv. 32, If I have done iniquity, I will do it no more.

48. What is it to have faith in Christ as your Saviour?—To have faith in Christ as my Saviour, is to believe that Christ is the saviour of sinners, and to give myself up to him, and trust in him, that he may save me in his own way.

Acts viii. 37, I believe that Jesus Christ is the son of God. 1 Tim. i. 15, 2 Tim. i. 12, This is a faithful saying, and worthy of all acceptation, that Jesus Christ came into the world to save sinners. I know in whom I have believed (or trusted), and I am persuaded he is able to keep that which I have committed to him. 2 Cor. viii. 5, They gave up their own selves to the Lord.

49. What reason have you to hope that you shall then be delivered from the anger of God?—If we repent of sin, and trust in Christ, God hath told us in his word, that he will forgive our sins, and save our souls.

Acts iii. 19, Repent and be converted, that your sins may be blotted out. Acts x. 43, Whosoever believeth (or trusteth) in him, shall receive remission of sins. Acts xvi. 16 & 31, Believ on (or trust in) the Lord Jesus, and thou shalt be saved.

50. But is not your heart itself sinful? and have you power over yourself to repent of sin, and to trust in Christ, and obey him?—We have sinful hearts, and cannot do these duties ourselves; but God has promised his own Holy Spirit, if we pray for it, to renew our heart to holiness, and help us to do his will.

2 Cor. iii. 5, Not that we are sufficient of ourselves to think any thing as of ourselves, but our sufficiency is of God. Eph. ii. 8, By grace ye are saved through faith, and not of yourselves; it is the gift of God. Luke xi. 13, How much more shall your Heavenly Father give the Holy Spirit to them that ask him? Ezek. xxxvi. 26, A new heart will I give you; ver. 17, And I will put my Spirit within you; ver. 37, I will yet for this be inquired of by the house of Israel to do it for them. Rom. xii. 2, Be ye transformed by the renewing of your mind. Tit. iii. 5, He saved us by the washing of regeneration, and the renewing of the Holy Ghost. Rom. vii. 6, The Spirit also helpeth our infirmities.

51. How must you offer up your prayers so as to be accepted of God and obtain his Holy Spirit, or any blessings from him?—In all our prayers and all our services, we must seek for acceptance from the mercy of God, and for the sake of Christ; for we have sinned and deserve no good thing.

Dan. xi. 15, 17, 18, We have sinned, we have done wickedly—O our God, hear the prayer of thy servant—for the Lord's sake. We do not present our supplications before thee for our righteousness, but for thy great mercies. Eph. i. 6, He hath made us accepted in the beloved. John xvii. 23, Whatsoever ye shall ask the Father in my name, he will give it you. Ver. 24, Ask, and ye shall receive.

52. Hath God provided any other means for our help in the way of heaven?—God hath given his holy word both to Jews and Christians; he sent his ministers to help us to understand his word, and appointed some special signs and tokens of mercy for our use.

Psalm xlvii. 19. He sheweth his word unto Jacob, his statutes and his judgments unto Israel. John xviii. 14, I have given them thy word. Mal. ii. 7, The priest's lips should keep knowledge, and they should seek the law at his mouth, for he is the messenger of the Lord of Hosts. Nehem. viii. 7, The Levites caused the people to understand the law. Eph. iv. 11, He, that is Christ, gave pastors and teachers, for the work of the ministry, &c. Gen. xvii. 11, It shall be a token of the covenant between me and you. iv. 11, He received the sign of circumcision. Matt. xxviii. 20, Teaching them to observe whatever I have commanded you.

53. What are the special signs and tokens which God hath appointed to shew forth his mercy among Christians?—There are two signs or tokens which are commonly called Sacraments of the New Testament, and these are *Baptism* and the *Lord's Supper*.

Matt. xxviii. 19, Go ye, and teach all nations, baptizing them. 1 Cor. xi. 20, The Lord's Supper. Ver. 24, This do in remembrance of me.

54. What is baptism?—It is a washing with water in the name of the Father, the Son, and the Holy Spirit.

Matt. xxviii. 19, Baptizing them in the name of the Father, and of the Son, and of the Holy Ghost.

55. What is meant by this washing?—It signifies our being cleansed from sin, and our becoming new creatures, and the disciples of Christ.

Acts xxii. 16, Arise and be baptized, and wash away thy sins. 1 Tit. iii. 5, The washing of regeneration, and the renewing of the Holy Ghost. Gal. iii. 27, As many of you as have been baptized into Christ, have put on Christ, that is, are his disciples.

56. Why must we be baptized in the name of the Father?—Because it was God, the Father of our Lord Jesus Christ, who appointed this salvation; and he is our Father also, if we are true Christians.

Eph. i. 3. Blessed be the God and Father of our Lord Jesus Christ, who has blessed us with all spiritual blessings. John xx. 17, I go to my Father and your Father, to my God and your God. 2 John 9, He that abideth in the doctrine of Christ, hath both the Father and the Son.

Why must we be baptized in the name of the Son of God?—Because this salvation was preached by the Son of God as our great Prophet; he procured it for us as our High Priest, and he bestows it on us as our Lord and King.

Acts iii. 22, A prophet shall the Lord your God raise up to you, like unto me. Luke iv. 18, The Lord hath anointed me to preach the Gospel to the poor. Heb. ii. 17, That he might be a merciful and a faithful High Priest to make reconciliation for the sins of the people. Acts v. 31, God hath exalted him to be a Prince and a Saviour, to give repentance to Israel, and forgiveness of sins.

58. Why must it be done also in the name of the Holy Spirit?—Because the wondrous works of the Holy Spirit bore witness to this salvation heretofore; and it is the Holy Spirit enables us to obey the Gospel now, and to hope and wait for this salvation.

Heb. ii. 4, God also bearing witness with signs and wonders—and gifts of the Holy Spirit. 1 Pet. i. 22, Ye have purified your souls in obeying the truth through the Spirit. Gal. v. 5, We through the Spirit wait for the hope of righteousness by faith.

59. What doth this Baptism in the name of the Father, the Son, and Holy Spirit, oblige you to do?—If I am baptized, I am given up to the Father, the Son, and the Holy Spirit, that I may live as a new creature and a Christian; and having been once washed, I must not defile myself again with sin.

Rom. vi. 2, 3, How shall we that are dead to sin live any longer therein? We are baptized into Jesus Christ. Ver. 4, We should walk in newness of life. 2 Cor. v. 17, If any man be in Christ he is a new creature. 2 Pet. ii. 20, 22, Those who profess Christianity, and return again to sin, are compared to the sow that was washed, and returns to her wallowing in the mire.

60. What is the Lord's Supper?—It is the eating of bread and drinking of wine in remembrance of the death of the Lord Jesus Christ.

1 Cor. xxi. 24, 26, This do in remembrance of me—As often as you eat this bread, and drink this cup, ye do shew forth the Lord's death, till he come.

61. What doth the bread signify?—The bread when it is broken signifies the body of Christ, which was wounded, or broken on the cross for us.

1 Cor. xi. 23, 24, He took the bread, and when he had given thanks, he brake it, and said, take, eat, this is my body which was broken for you.

62. What doth the wine signify?—The wine poured out into the cup, signifies the blood of Christ, which was poured out in his death to take away our sins.

Matt. xxvi. 27, 28, And he took the cup, (that is, the cup of wine, or fruit of the vine, as ver. 29,) and gave thanks, and gave it to them, saying, Drink ye all of it; for this is my blood of the New Testament, which is shed for many, for the remission of sins.

63. Why must the bread be eaten, and the wine be drank?—To signify our partaking of the blessings which Christ hath obtained for us by his death.

1 Cor. x. 16, 17, The cup of blessing which we bless, is it not the Communion of the Blood of Christ? The bread which we break, is it not the Communion of the Body of Christ? We are all partakers of that one bread. And probably it is with reference to this Sacrament, which Christ designed to ordain in his Church, that he represents our believing in him thus, in John vi. 54, 55, Whoso eateth my flesh, and drinketh my blood, hath eternal life. For my flesh is meat indeed, and my blood is drink indeed.

64. What doth the Lord's Supper oblige us to?—Those who partake of the Lord's Supper should thankfully remember the love of Christ who died for them; and they should love and serve him to the end of their lives.

Luke xxiii. 19, This do in remembrance of me. Gal. ii. 20, I live by the faith of the Son of God, who loved me and gave himself for me. John xxi. 15, Lord, thou knowest that I love thee. John xiv. 15, If ye love me, keep my Commandments. Psalm lvi. 12, Thy vows are upon me, O God, I will render praise unto thee.

65. When you have done the will of God, and served Christ to the end of your life, what are your hopes after death?—When my body dies, and my soul goes into the world of spirits, I hope it shall dwell with God and Christ, and be happy.

Luke xx. 37, 38, The God of Abraham, Isaac, and Jacob. He is not a God of the dead, but of the living, for all live unto him. Luke xvii. 20, 22, Lazarus died, and was carried by Angels into Abraham's bosom. Luke xviii. 46, Jesus dying said, Father, into thy hands I commend my spirit. Acts vii. 55, Stephen looked up stedfastly into heaven, and saw the glory of God, and Jesus standing at the right hand of God. Ver. 59, And they stoned Stephen, saying, Lord Jesus, receive my spirit. 2 Cor. v. 8, Absent from the body, and present with the Lord, that is Christ. Phil. i, 23.

66. And do you not expect some greater happiness afterward?—Yes; I hope for more complete happiness when my body shall rise again, and be joined to my spirit at the day of judgment.

1 Cor. xv. 42, 43, So is the resurrection of the dead—It is sown in dishonour, it is raised in glory. Rom. viii, 23, We groan within ourselves, waiting for the adoption, that is, the redemption of the body.

[Since the Scripture makes so frequent mention of Angels and Devils, as instruments of Divine Providence; and since dwelling with Angels or Devils is our common description of Heaven and Hell, it was hardly proper to finish this Catechism without some account of these good and evil Spirits; but it is placed at the very end, that children may not converse much about them, till they are eight or nine years old; and then it is fit they should be represented as being entirely under God's command, and the government of Christ, that children may not be affrighted.]

67. But let us hear first what is this world of spirits you speak of, whither the soul goes at death?—It is a very large world, though it is out of sight, in which there are different dwellings for Angels and Devils, and for the souls of men both good and bad.

Mat. xxii. 30, The angels of God in heaven. 2 Pet. ii. 4, The Devils are said to be cast down to Hell. Heb. xii. 23, The spirits of just men made perfect. 1 Pet. iii. 19, 23, The spirits in prison, which some time were disobedient.

68. Who, or what are Angels?—They are good spirits who wait on God, and worship him in heaven, but they are often sent down to do service here on earth.

Matt. xxii. 30, The Angels of God in Heaven. Rev. vii. 11, All the Angels stood round the throne and worshipped God. Psalm ciii. 20, Bless the Lord ye his Angels, that do his Commandments. Dan. vi. 22, My God hath sent his Angel, and shut the lions' mouth, that they have not hurt me.

69. Who, or what are devils?—They are evil spirits, who were at first Angels of God, but having sinned against him, they were cast out of Heaven, and now they are tempting men to sin.

Rev. xii. 9, That great dragon the old serpent, called the Devil and Satan, who deceiveth the whole world; he was cast out into the earth, and his angels were cast out with him. (This text bears allusion to the first sin and fall.) 2 Pet. ii. 4, God spared not the Angels that sinned, but cast them down into hell. 1 Thes. iii. 5, Lest by some means the tempter has tempted you. Even Christ himself was tempted of the Devil. Matt. iv. 1. See 1 Pet. v. 8.

70. But are not all these spirits, both good and evil, put under the dominion of Christ?—Yes; Christ is Lord over them all; he employs the Angels for the good of his people; and the Devils can do no mischief but when Christ suffers them.

1 Pet. iii. 22, Jesus Christ, who is gone into Heaven, Angels, Authorities, and Powers, being made subject to him. Acts xii. 11, The Lord hath sent his Angel and delivered me. Heb. i. 14, Are they not all ministering spirits, sent forth to minister for them who shall be heirs of salvation? Luke viii. 32, The Devils besought him that he would suffer them to enter the swine, and he suffered them.

71. What will become of the Devils at last?—They are now kept as prisoners, for some greater punishment after the judgment day.

Eph. vi. 8, He led captivity captive. Jude 6, Angels that kept not their first estate, are reserved in everlasting chains under darkness till the judgment of the great day. *See* Rev. xx. 10.

72. When will this day of judgment come, when you said your body shall rise from the dead?—At the end of the world; Jesus Christ shall come down from heaven to judge all mankind; and for that purpose he shall raise all that are dead to life again.

2 Pet. iv. 7, The end of all things is at hand. 1 Thess. iv. 16, The Lord himself shall descend from Heaven. 2 Tim. iv. 1, The Lord Jesus Christ, who shall judge the living and the dead at his appearing. John v. 28, 29, The hour is coming in which all who are in the grave shall hear his voice and come forth. 1 Cor. xv. 52. The trumpet shall sound, and the dead shall be raised.

73. What shall be done to mankind when the dead are raised to life?—Christ shall call them all to appear before his seat of judgment, where both the righteous and the wicked must give an account to him of their behaviour in this world.

Matt. xxv. 31, 32, When the Son of Man shall come in his glory, before him shall be gathered all nations. Rom. xiv. 10, 12, We shall all stand before the judgment seat of Christ, every one of us shall give an account of himself to God.

74. How will the righteous appear in that day?—The righteous shall appear with courage and joy as the children of God, who have done the will of their Heavenly Father, and are made like him in holiness.

1 John iii. 10, In this the children of God are manifest, and the children of the Devil; whosoever doeth not righteousness is not of God. 1 John ii. 29, Every one that doeth righteousness is born of him. Eph. iv. 24, The new man, which after God is created in righteousness and true holiness. 1 John iv. 17, We may have boldness in the day of judgment, because as he is, so are we in this world.

75. And how will the wicked appear then?—The wicked shall stand before the Judge with fear and shame, like the children of the Devil; for they have done his will, and are like him in sinful works.

Dan. iii. 2, Some shall awake to everlasting shame, &c. John viii. 44, Ye are of your father, the Devil, and the lusts of your father ye will do. Acts xi. 10, Thou child of the Devil, thou enemy of righteousness.

76. And how will Christ the Judge dispose of men, and deal with them in judgment?—He will place the righteous on his right hand, and the wicked on the left, and will pass a sentence on them both, according as their works have been.

Matt. xxv. 33, He shall separate them one from another; he shall set the sheep on his right hand, but the goats on the left. 2 Cor. v. 10, We must all appear before the judgment seat of Christ, that every one may receive according to what he hath done, whether it be good or bad.

77. After the judgment what shall become of the wicked?—The wicked shall be driven into hell fire, both soul and body, to be tormented with the Devil and wicked spirits for ever.

Matt. xxv. 41, Then shall he say unto them on his left hand, Depart from me, ye cursed, into everlasting fire, prepared for the Devil and his angels. Matt. xiii. 42, There shall be wailing and gnashing of teeth. Rev. xx. 10, And they shall be tormented day and night for ever.

78. And what shall be done to the righteous?—The Lord Jesus Christ shall carry the righteous up with him to Heaven both soul and body, to live there with God the Father, and with his holy Angels, in everlasting joy. *Amen.*

Matt. xxv. 31, Then shall the King say unto them on the right hand, Come ye blessed of my Father, inherit the kingdom prepared for you. 1 Thess. iv. 17, And so shall we be ever with the Lord (that is Christ). Heb. xii. 22, Ye are come to the heavenly Jerusalem, and to the innumerable company of Angels. After judgment in Rev. xx. 11, 15, it is said, in Rev. xxi. 3. 4, God himself shall be with them, and be their God; and God shall wipe away all tears from their eyes, and there shall be no more death nor sorrow, crying nor pain, &c.

Examples of PRAYERS composed for Children, from Eight Years old to Ten or Twelve.

Call upon God, adore, confess,
Petition, plead, and then declare
You are the Lord's; give thanks and bless,
And let Amen conclude the pray'r.

The Child's Daily Morning Prayer.

GREAT and gracious God, who hast created all things by thy power, and governest all things by thy wisdom, thou art the author of all our blessings, by day and by night. I give thanks to thy Majesty that thou hast given me rest the night past, and that I am brought safe to see another morning.

Preserve me this day, O Lord, from every thing that may do me hurt; and wheresoever I am, let me remember the great God sees me; that I may not dare to sin against him.

I praise thee that I have parents* and friends to provide food and clothing for me, and every thing else I want. Do them good I beseech thee, both here and hereafter; and give me grace daily to learn what they teach me, and willingly to do what they command me; that I may please thee in all things, and live as becomes one of thy children.

I deserve no good thing from thee, because I offend thee so often; but I desire to be sorry for my sins, and I pray and hope thou wilt spare me, and shew me thy love, because thou art a God of mercy, and because *Jesus Christ* thy son died upon the cross to save such children as I am from the pains of hell.

Now he is gone to heaven to plead with God for them, and to bless them. Grant, O Lord, that I may see his face there hereafter, and sing his praises.

To thee, O Father, to thy Son, and thy Holy Spirit, I desire to pay all honour and obedience, now and evermore. *Amen.*

The Child's Daily Evening Prayer.

O Lord, our Heavenly Father, thou hast made the night for us to take our rest, I pray thee look down upon me while I sleep, for if thou take care of me, I need be afraid of nothing.

Accept the thanks of a child for all the good things I have this day received; and as I lie down in peace in the evening, so let me awake and rise again in peace in the morning to serve thee.

Let me learn to know thee while I am a child, and begin to fear thee and love thee, and to do thy will with delight; and I humbly ask, that thy Holy Spirit may instruct and assist me in all things needful for me to know and to do.

Help me to honour my father and my mother, to obey all my teachers and governors, to love my brothers and sisters, my friends and neighbours, as I would have them love me. Let me not be an enemy to any person whatsoever, and suffer not others to be enemies to me.

I intreat thee, O Lord, for Christ's sake, give me every thing that is best both for soul and body; for thou art wise and gracious, and able to do better things for me than I am able to ask.

And when I have served thee to my utmost in this world, then take my soul to live with thee in heaven, where I shall serve thee far better than I can do on earth, and give thee glory for ever and ever. *Amen.*

The Child or Youth's Prayer for Lord's Day Morning.

(To be used just after the other Morning Prayer.)

O God of power and grace, who raised thy son Jesus from the dead on the first day of the week, I pray thee raise my thoughts up to heaven where Jesus Christ is.

Thou hast taught me to call it the Lord's day: O may I serve the Lord Jesus much on his own day, and get more knowledge of him continually. Let me know him as the Son of God, and the Son of Man, whose name is Immanuel, or God with us, who redeemed sinners with the price of his own blood.

Let me love to hear and to read of God and Christ, and the things of heaven: Make me delight in thy worship, and learn what I must believe, and what I must do to be saved from hell.

Whether I am at church or at home, let me lay aside both work and play from morning to night, that I may honour thee in the best manner that I am able; and if I should die while I am a child, send thy blessed Angels to carry me up to the holy and happy children in heaven, for the sake of Jesus Christ thy beloved Son. *Amen.*

The

---

* Here and in all other places, where kindred and parents are mentioned, it is necessary that children be taught to name only such kindred as they have living.

The Child or Youth's Prayer for Lord's Day Evening.

[To be used just after the other Evening Prayer.]

Most holy and merciful God, who has given us this day chiefly to hear thy word, to pray to thee, and to praise thee.

Remember not against me, O Lord, the transgressions of this day, but make me remember some of the good things I have heard or read at home or abroad, that I may hate every sin, and be more careful to perform thy commands.

Let me hope in thy mercy through the merits of Jesus Christ thy son in this world, and sing thy praises among thy saints and holy angels in the world to come. *Amen.*

Grace before Meat.

Bless us, O Lord, and bless the provisions of this table to our use, that whether we eat or drink, or whatsoever we do, all may turn to thy glory and our good, for Christ's sake. *Amen.*

Grace after Meat.

Let God be praised for all our supports and enjoyments on earth, and for all our hopes of heaven, through Jesus Christ our blessed Saviour. *Amen.*

—Nº 19.—

Pass Jupiter and his wife Asia, with two children, to Plantation La Resouvenir, requesting to be baptised by Mr. Smith.

Lusignan, 30th April, 1820. *Frederick Cort.*

—Nº 20.—

The bearer, Flora, being desirous of baptism, and requesting a character for that purpose, I hereby certify that she is a well-disposed woman. *Frederick Cort.*

Lusignan, 3d Nov. 1822. To the Rev. Mr. Smith, La Resouvenir.

—Nº 21.—

The bearer, Rosetta, belonging to this estate, desirous of having her child named Charles christened, and requiring a character for that purpose, I hereby certify that she is a well-disposed woman. *Frederick Cort.*

Lusignan, 15th December 1822. To the Rev. Mr. Smith, La Resouvenir.

(True Copies.)

I. A. Goodman,
Lt. Col. Com. & President.

I. L. Smith, jun.
Assist. Judge Advocate.

—Nº 22.—

1.—Pass the bearer, Argyle, to Mr. Smith, to be baptized.

Plantation Success. 5th January 1823. John Stewart.

2.—Bearer hereof, Quashey, behaved himself to my satisfaction since he came to this estate, which is now about two years. John Stewart.

Plantation Success. 24th September. 1820.

Quashey cohabits with Maria, who is also a good behaving woman. John Stewart.

3.—Dear Sir, The bearer, Alpha, wishes to be baptized, and all I can say to him is, that I know of nothing against his character to prevent. John Stewart.

To the Rev. J. Smith, Le Resouvenir. Plantation Success, 3d September 1820.

4.—Pass the bearer Joe, and his wife Venus, to Mr. Smith, to be baptized.

Plantation Success. 13th October 1822. John Stewart.

5.—Dear Sir, The bearers, James and Flora, lived together as man and wife for some time back, and they now express a wish of being married; all I can say on this subject is, that they behaved themselves, as far as I have known properly, since they came to this estate, which is now nearly two years John Stewart.
To the Rev. J. Smith, Plantation La Resouvenir. Plantation Success, 10th September, 1820. By James and Flora.

6.—Dear Sir, The bearer Quashey, informs me, that you desired him to get a note from me of his character, previous to his being baptized; if that is the case, I beg leave to say, that he has upon the whole behaved himself as well as I could expect since I have known him, which is now going on five years.—With best respects to Mrs. Smith.
To the Rev. J. Smith, Plantation La Resouvenir. John Stewart.
By Quashey. Plantation Success, 31st March, 1810.

7.—Dear Sir, The bearer, Gracy, belonged to me since May 1819, and during that time her conduct, as far as is known to me, has been what it ought to be; she wishes now to be baptized. John Stewart.
To the Rev. J. Smith, Plantation La Resouvenir. Plantation Success, 24th Sept. 1820.

8.—Dear Sir, The bearer, Dumfries, informs me he cohabited with Eve, both the property of Mr. Gladstone, for some time back, and that he now wishes to marry her; I can only say, that their conducts have been such since I have known them, as puts it out of my power to say any thing to the contrary. John Stewart.
To the Rev. J. Smith, Plantation La Resouvenir. Plantation Success, 10th Sept. 1120.
By Dumfries and Eve.

9.—Dear Sir, The bearer, Sally, informs me that she is very anxious to be baptized, as she is now in a sickly state of health, and her conduct, she says, was not formerly what it ought to be. All I can say on the subject is, that her behaviour has not been amiss since I came to this estate, and that I have no objections whatever that she may be christened.
To the Rev. J. Smith, Plantation La Resouvenir. John Stewart.
By Sally. Plantation Success, Saturday afternoon.

(True Copies.)

I. A. Goodman.
Lt. Col. & President.

I. L. Smith, jun.
Assist. Judge Advocate.

—N° 23.—

1.—The bearer hereof, named Venus, belonging to this estate, is desirous of having her infant child, named Madeline, baptized, and requesting a certificate of character for that purpose. I hereby declare her to be a well-disposed person. R. Murray, Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 6th April 1823.

2.—The bearer hereof, named Janet, belonging to this estate, is desirous of having her infant child, named Olive, baptized, and requesting a certificate of character for that purpose. I hereby declare her to be a well-disposed person. R. Murray, Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 6th April 1823.

3.—The bearer hereof, named Duncan, belonging to this estate, being desirous of having his infant child, named Donald, baptized, and requesting a certificate of character for that purpose. I hereby declare him to be a well-disposed person. R. Murray, Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 6th April 1823.

4.—The bearer hereof, named Cudjoe, belonging to this estate, is desirous of having his infant daughter Leda baptized, and requesting a certificate of character for that purpose. I hereby declare him to be a well-disposed man. R. Murray. Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 8th April 1822.

5.—The bearer hereof, named Mary, belonging to this estate, is desirous of having her infant child Josephine baptized, and having requested a certificate of character for that purpose. I hereby declare that she is a very well-disposed woman. R. Murray, Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 3d May 1823.

6.—The bearer hereof, named Helen, belonging to this estate, is desirous of having her infant child, named Hypolito, baptized, and requesting a certificate of character for that purpose. I hereby declare that she is a well-disposed person. R. Murray, Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 3d May 1823.

7.—The bearer hereof, named Sophia, belonging to this estate, is desirous of having her infant child Emme baptized, and requesting a certificate of character for that purpose. I hereby declare that she is a well-disposed person. R. Murray, Manager.
The Reverend Mr. Smith, Bethel Chapel, La Resouvenir. Lusignan, 18th May 1823.

(True Copies.)

I. A. Goodman,
Lt Col. & President.

I. L. Smith, jun.
Ass^{t} Judge Advocate.

—N° 24.—

1.—The holder of this, called Primo, wishes to be baptized; he has my permission.
Chateau Margo, 22d July 1821. L. Cuming.

2.—The holder of this, named Hector, wishes to be baptized; he has my permission.
3d September 1820. L. Cuming.

—N° 25.—

1.—The bearer, Jem, has expressed a desire to become a christian, by the performance of the baptismal ceremony. I have therefore to beg the favour of your gratifying his wish to that effect, and oblige John Stewart, jun.
North Brook, 6th September 1821. Rev. Mr. Smith.

—N° 26.—

1.—The bearer hereof, named Demerara, and his wife, named Rebecca, are wishful of being baptized; and during my residence on this estate their conduct has been that of peaceable and well-disposed people. Samuel Orford, Manager.
Plantation Industry, March 14, 1823.

(True Copies.)

I. A. Goodman,
Lt. Col. & President.

I. L. Smith, jun.
Ass^{t} Judge Advocate.

—N° 27.—

1.—The bearer, Bevene, being wishful to get his children baptized, named Janet, Charlotte, Haig and Catherine. I therefore recommend them to your notice, on account of their father's good conduct; also the woman Mary, and a boy named John.
N. O. Nassau, 6th January 1822. Ja^{s} Todd.
To the Rev. J. Smith, La Resouvenir.

2.—Pass Gilbert and Mary to La Resouvenir, to get baptized, and back to plantation Paradise, unmolested. W. Blackstock.
August 4, 1822.

3.—The bearer Tom has permission from Mr. Shanks to be baptized.
Plantation Nooten Zuil, 25th November 1821. J. H. Hughes.

4.—The bearers, Billy and Betty, having requested my permission to be baptized, they being of good character and obedient, have my permission.
Brothers, 12 May 1822. W^{m} Massie.

5.—The bearer, Sally, has been for some time back requesting me to beg you to christen her country woman's son Collin, who has been living with her for some time; and the lady in town to whom the boy belongs spoke to me on the same subject; and as I have promised to speak to you, I shall be obliged to you for a note of his christening, whenever you think it proper to have it done. John Stewart.
Pl. Success, 15th October 1820. The Rev. J. Smith, Pl. La Resouvenir.

6.—Je grant permission au nègre, nommé Ponto, à étre baptisé.
La bonne Intention, le 10me. Febr. 1822. N. G. Tholen.

7.—Permit is hereby granted to the negro Jupiter, and the negro woman Vesta, to be baptized.
La bonne Intention, 20th January 1822. N. G. Tholen.

8.—Permit is hereby granted to the negro Otto to be baptized.
La bonne Intention, 15th January 1822. N. G. Tholen.

9.—Permit is hereby granted to the negro woman Theresia to be baptized.
La bonne Intention, January 21, 1822. N. G. Tholen.

10.—Plantation Vigilance, June 4th 1820. The bearers, Cabina, Harry, Juliet, Bella, Chloie, with the man and wife, Berry and Caroline, and their children, Betsy, Patty, and Bampfield, have been requesting me to recommend them to you for baptism, I therefore offer them to your consideration. W. D. Couchman.
To Rev. J. Smith, La Resouvenir.

11.—Plantation Vigilance, April 2d, 1820.—The bearers, Parker, Tabatha, Love, Wilhelmina, Lucy and Cornelia, with her children, have been applying to me to be recommended to you for baptism, with which request I have much pleasure in complying.
To Rev. J. Smith, La Resouvenir. W. D. Couchman.

12.—The bearer, Diana, waits upon you with her infant, named Anthony, for the purpose of having him baptized. John G. Abbott.
Vigilance, 27 May 1822. Rev. J. Smith, Resouvenir.

13.—The bearer, Faith, with her infant, named Nancy, waits upon you for the purpose of having it baptized. John G. Abbott.
Plantation Vigilance, Sunday, 19th August 1821. Rev. J. Smith, La Resouvenir.

14.—The bearer, Strephon, waits upon you with his infant, named Samuel, for the purpose of having it baptized. John G. Abbott.
Vigilance, 19th May 1822. Rev. J. Smith, Le Resouvenir.

15.—Plantation Vigilance, Sunday morning, 25th March 1821. At foot, I beg leave to hand you a list of negroes belonging to this estate, who wait upon upon you for the purpose of being baptized. John G. Abbott.

Judy and child Charles
Liffy and children, Eliza and Ann
Pamelia and ditto, Sophia and Agnes
Juno
Minerva
Aurora
Yarico and child Simon
Emily
Nelson
Hebe and children, Sylvia, Robson and Magdelane
Castor
Bacchus
Henry
Welcome
Romeo
Sarah

Parson Smith, Pl. La. Resouvenir.

16.—The bearer Parry, and his wife Dorah, are well disposed people; so if you think proper, they may be christened, along with their child Pomella.
Plantation Industry, 10th October 1819. George Donaldsun.

17.—The bearer Juno, has applied to me for some time back for a pass to be baptized. She is a decent, quiet, well-behaved woman, and if you think proper to baptize her, this will serve as a character. Geo. Donaldson,
Industry, January 16th, 1823. Manager Plantation Industry.
To the Rev. Mr. Smith, La Resouvenir.

18.—Frederick informs me, that the pass I gave him before this was not sufficient; I therefore let you know his wife is a well-disposed woman, as are all their children, and if it please you, you may gratify their request. Geo. Donaldson.
Industry, September 12th, 1819.

19.—Strathspey, 22d July 1821. The bearer, Patience, a slave belonging to this estate, being desirous of baptism, and having also informed me that she understands the "Lord's Prayer and the Creed," I beg leave to recommend her to you as a well-behaved woman.
The Rev. Mr. Smith, Chapel. Will. B. Parrye.

20.—Strathspey. 23d March 1822. Six of the Creoles of this estate, one male and five females, are desirous of receiving the rites of baptism. Wishing to comply with their desires so far as is proper, I beg leave to require of you what it is necessary for them to know previous to their being baptized, and the time when it will be most convenient to yourself. I beg you will excuse this liberty in Will. B. Parrye.
The Rev. Mr. Smith, La Resouvenir.

21.—The following people request to be baptized, to whom I have no objection:—Doris; Lubin, his wife Melinde, and child Terenne; Frances and her child Theresia; Plato and his wife Cornelia; Louis; Marrian and her child Lucinde, and twin children Bonaparte and Napoleon; Johanna; Susette. H. V. Cooten.
Vryheid's Lust, 24th June 1823. Rev. Mr. John Smith.

22.—I understand from Aher, that a negro woman (Nancy) of mine, lying dangerously ill, is very desirous of being baptized; I wish to say, in case you think it proper, that I have no objection to it, or rather would wish you to comply, to relieve her from uneasiness about it. H. V. Cooten.
Vryheid's Lust, 4th June 1822. Rev. Mr. Smith.

She was one of those that would have been baptized with the last, had she not fallen sick.

widower, good. *Susetta, good.* *widower, good.* *Quashey, good.*
23.—My people, named Thomas, Amsterdam, Israel, and Leah;
widow, good.
Thomas, her three children, named Rebekka, Hercules and Lucas; and also Elizabeth, belonging to Mrs. Van Cooten; all wish to be baptized (to which we have no objection) whenever you shall think fit and proper.—Elizabeth wishes also to include her daughters Hagar, Ellen and Wilhelmina. H. V. Cooten.
Vryheid's Lust, 18th February 1821. Rev. Mr. Smith, Missionary, La Resouvenir.

24.—The following people of La Resouvenir wanting to be baptized, I have no objection to if you think it right:—Galant, Joseph, and his wife Kitty, and her two children Daniel and Dinah, and Venus—*hus. Galant.* H. V. Cooten.
Vryheid's Lust, 4th February 1824. Rev. Mr. John Smith, Missionary, La Resouvenir,
All approved.

25.—Pass, February, Cecilia and the child Luke, to be baptized by the Rev. Mr. Smith,
Plantation La Bonne Intention, 21st January 1821. Le Forestier, Mr.

26.—Pass the negroes Bonevento and Justina, to be baptized by the Rev. Mr. Smith,
Plantation La Bonne Intention, 14th January 1821. Le Forestier, Mr.

27.—Pass the negroes Daniel and Fronica, to be baptized by the Reverend Mr. Smith,
Plantation La Bonne Intention, 18th February 1821. Le Forestier, Mr.

28.—Pass the negro Bienvenu, to be baptized by the Rev. Mr. Smith.
Plantation La Bonne Intention, 14th January 1821. Le Forestier, Mr.

29.—Pass the negroes April and Rachel, to be baptized by the Reverend Mr. Smith.
Plantation La Bonne Intention, 10th February 1821. Le Forestier, Mr.

30. Pass the negro Corry and the woman Philida, to be baptized by the Rev. Mr. Smith.
Plantation La Bonne Intention, 18th June 1820. F. M. Le Forestier, Mr.

31.—Pass the woman Rosie, to be baptized by the Rev. Mr Smith.
Plantation La Bonne Intention, 26th February 1821. Le Forestier, Mr.

32.—Plantation Industry, 21 April 1820. I must again trouble you, at the request of the negro Fremys, who is the bearer of this, whose wish is to be baptized, and I believe him to be a true Christian. R. H. Matthews.
Rev. —— Smith.

33.—Plantation Industry, 15th April 1820. I have taken the liberty to write to you, upon the application of the negroes whose names are underneath, belonging to the above plantation, stating their wish to be baptized, and, from my observation of their conduct, I think them real Christians. R. H. Matthews.

Names:

Loveless
Colin
Prince
Adolph

London
Peet
Nelson
Jenny

Fanny
Polly
Codjey
Fanequa

To Rev. —— Smith.

34.—Lusignan, February 18, 1821.—Mr. Jack's compliments to Mr. Smith, and has to request the favour of him to baptize the under-named people, who are all well behaved.

Daniel.
Peggy.
Mento
Pamelia,
Adonas.
Jannett.
Crolbull.
Marry.
Mercy,
Carlo, } *children of Crolbull.*
Capprea.
Sophia.

Lemon.
Rosett, *husb. Richar.*
Helen, *husb. Quako.*
Parose, *husb. Wentworth.*
Hannett.
Sanks, *widower.*
Venus, *hus. Bob.*
Smith, *Venus's son.*
Malvina, *Venus's child.*
Charlott, *Cesar.*
Sidney, *Charlotte's child.*

Rev. Mr. Smith.

35.—The bearer has permission to get his child Dolly baptized, born in September last.
Lusignan, 24th December 1820. M. Jack.
To Rev. Mr. Smith.

36.—I fear you will think I am very troublesome, but I trust you will excuse the liberty I now take in sending the bearer Capprea, his wife Sophia, and Lemon, as they seem extremely anxious to be baptized; in fact, they have been at my door all the morning lamenting, and I cannot prevail on them to desist for a week or two. They are three well-behaved people, and I trust their being admitted to receive the sacrament of baptism will have a good effect on their minds. I would come over your length on Sundays, but at present I have no horse able to go your length. I will be extremely glad to see you here when convenient; mean time I am, M. Jack.
Lusignan, February 25, 1821. Rev. Mr. Smith.

37.—The woman Hanna, wishing to have her three children baptized, has my permission to that effect, should Mr. Smith think fit. N. Van Cooten.
22 May 1820,

38.—The woman Madelainé, wishing to have her two children, Sally and Paget, baptized, has my permission for such purpose, should Mr. Smith think fit.
6 May 1820. Nicholas Van Cooten.

39.—The bearer Hendrick, and his wife Celinda, wishing to be baptized, have my permission, should they be found fit subjects by their pastor. Also the following names:—Milly, and her two children Yetta and Abram; Christina, and her two children August and Fanny; Nancy. Nicholas Van Cooten.
19th March 1820. Rev. J. Smith.

40.—Having been informed you are wishful of some testimony as to the characters of the four negroes whose names you are already in possession of, I beg leave to state, that their conduct in general is as good as can be expected, and I make not the least doubt but they will eventually prove themselves worthy of your notice and protection.
Sunday Morning. Rev. J. Smith. Nicholas Van Cooten.
These are the names—Hooft, Harriette, Ruiter, Madlaine.

41.—Permission is hereby granted to the negro woman Concubina to be baptized.
Beter Verwagting, 19th January 1822. C. A. Van Grovestins.

42.—Permission is hereby granted to the negro Daniel to be baptized.
Pl. Beter Verwagting, the 1st of July 1821. C. A. Van Grovestins.

43.—Permission is hereby granted to the negro man Tammi to be baptized.
East Coast, Demerary, the 27th February 1822. C. A. Van Grovestins.

44.—Permission is hereby granted to the negro man David, his wife Margerita, his daughters Augustina and Alziera, his son Quamy, and his two grand-children Andires and Belinda, to be baptized.
Pl. Beter Verwagting, 29th of December 1821. C. A. Van Grovestins.

45.—Permission is hereby granted to the negro boy Donwe to be baptized.
Pl. Beter Verwagting, the 29th December 1821 C. A. Van Grovestins.

46.—Permission is hereby granted to the negro woman Amelia to be baptized.
Pl. Beter Verwagting, 29th of December 1821. C. A. Van Grovestins.

47.—Permission is hereby given to the negro woman Jaba, and child Rosanna, to be baptized.

East Coast, the 18th August 1822. C. A. Van Grovestins.

48.—Permission is hereby given to the negro man Wida to be baptized.

East Coast, the 18th August 1822. C. A. Van Grovestins.

49.—Pass the bearer, John Piere, to be baptized by the Rev. John Smith, if found fit for the same. James Kelly.

Mon Repos, 22d May 1820.

50.—The bearer, Sarah, is wishful of being baptized; and as she has been in general a well-behaved woman (if found fit) I hope you will comply with her desire.

Mon Repos, 27th February 1820. James Kelly.

51.—Lusignan, May 14, 1820. The under-named people have solicited permission to wait on you to receive the benefit of baptism; as I know no cause why they should not be admitted, recommend them to you for the above purpose. A. Mackie.

Alexander } *husb. & wife*
good Fany }
good Heneryetta, *young woman*
good Hendrick } *husb.*
good Sylvia } *& Sylvia, wife*
Lewis, *Hendrick's child*
Margo, *widow*
Phœnix, *cook*
Lettice.
To the Rev. Mr. J. Smith

Debora, *Phoenix's child*
Catto } *husb. self-righteous*
Catherina } *& wife good*
Catherica, *child in the care of Catto*
Lora } *wife, good*
France } *husb. middling, dont speak English.*
Polly, widow, good
Phillis, Melville's wife, good
Molly, Duncan's wife, good

52.—Permition is heareby granted to the bearer, Poly, who at her own request, waits on the Rev. Mr. Smith for the purpose of being baptised. A. Mackie.

Lusignan, May 4th, 1820.

53.—Permition is heareby granted to the bearer, Philis, who at his own request waits on the Rev. Mr. Smith for the purpose of being baptised. A. Mackie.

Lusignan, May 4th, 1820.

54.—The bearer, Melvil, is wishful of being baptised, and has permition to wait on the Rev. —— Smith for that purpose. A. Mackie.

Lusigan, Feb. 19th, 1820.

55.—Lusignan, August 20th, 1820. Permition is heareby granted to the bearer, Cressy, to wait on Mr. Smith for the purpose of being baptised. A. Mackie.

56.—Lusignan, August 13th, 1820. Permition is heareby granted to the bearers, Montroes, Bob, Lamerez and Europa, to wait on Mr Smith for the purpose of being baptised.

A. Mackie.

57.—Permition is heareby granted to the negro women, Bess and Betty, to wait on the Rev. Mr. J. Smith for the purpose of being baptised. A. Mackie.

(True Copies.)

J. L. Smith, jun. *S. A. Goodman*, Lt. Col.
Assistant Judge Advocate.

— N° 28. —

INSTRUCTIONS from the Directors of the Missionary Society to Mr. Smith, Missionary to Demerary.

Dear Brother, Missionary Rooms, London, 9th Dec. 1816.

Having devoted yourself to the service of Christ among the heathen, you are now going, under the direction and patronage of the Missionary Society, to the colony of Demerary, in which place (at Le Resouvenir) our missionaries, with some intervals of late, have laboured about nine years. It was at the earnest request of the late Mr. Post, that a missionary was first sent; and Mr. Wray was, for a long time greatly blessed in his ministry, and many of the poor negroes were hopefully converted to God. Mr. Wray thought it his duty to remove to the neighbouring colony of Berbice; since which the mission has suffered very severely. It is not necessary to detail the particulars, nor to inquire who were the instruments of this failure; and we would advise you, on your arrival at the station, not to enter upon the disagreeable subject.

You are now going, dear brother, as a minister of Christ, to declare his gospel to the negroes. Ever remember that *they* are the first and chief object of your ministerial attention; to their conversion and edification must the energies of your mind be directed. You will doubtless have opportunities of preaching the word to the white people also; and we wish you to do this with faithfulness, prudence and affection. Many of them greatly need instruction, and we trust that you will be made the minister of God to them for much good. Yet remember that as this society is formed for the purpose of "Spreading the gospel "among heathen, and other unenlightened nations," your first, your chief, your constant business is with the poor negroes.

You need not be informed that they are deplorably ignorant; you will probably find them mere babes in understanding and knowledge; and that you must teach them [illegible], you would teach children. Such discourses as might be well understood in a country congregation in England, would perhaps be unintelligible to them. You must study to exhibit the great things of the gospel in the plainest manner, and with simple easy language. By conversing with them in private you will find out what ideas and words are best understood by them; and in every public sermon let the method and order be as clear and distinct as possible, that their memories may better retain what they have heard; and perhaps it will be very useful to repeat, towards the end of your sermon, in a few words, the substance of what you have delivered, and then conclude with a close but affectionate appeal to their consciences.

Similitudes, well chosen, may be very useful. Let them be familiar allusions to what they well understand; but while they are familiar, let them not be so low or vulgar as to degrade the divine truths they are designed to illustrate. The parables of our Lord will be your best model, and an acquaintance with the notions and customs of the people will afford you much direction in the proper use of similitudes.

In those friendly conversations which you may hold with Mr. Wray, or Mr. Davies, who have long been preachers to the negroes, you will doubtless receive much information, which may greatly facilitate your labours. With both of them you will we hope maintain a brotherly intercourse, but without taking any part in the unhappy contentions of past times.

The directors have long been of opinion that the negroes are likely to derive far greater advantages from catechising, accompanied with familiar conversation, than from formal sermons, though they would by no means undervalue them; and doubtless many may hear your sermons to whom you cannot have access in private. Still, however, labour daily and diligently, visiting them from hut to hut, and receiving them at stated seasons, especially in the evenings, when they have done work, at your own habitation (a certain class, perhaps at a time) and repeat, again and again, every important truth of the gospel, asking them questions, and trying whether they understand you; and when you see them the next time, inquiring if they remember what they heard before: a few leading truths, both as to doctrine and practice, well learned, in this manner, will be of more real use, than hearing a hundred discourses.

You must not take it for granted, as we are apt to do in England (perhaps too much) that the people know common truths already: every thing must be taught, and inculcated over and over again, and perhaps placed in a variety of views, and expressed in a variety of ways, till it be understood.

The Moravians, in their extensive practice, have found that dwelling much on the love and sufferings of Jesus Christ, has proved the most effectual means of doing good. You will do well to read their accounts of their proceedings and success, that as far as they maintained the truth, you may imitate them.

In the discharge of your missionary duty, you may meet with difficulties almost peculiar to the West Indies, or colonies where slaves are employed in the culture of the earth, and other laborious employments. Some of the gentlemen who own the estates, the masters of the slaves, are unfriendly to their instruction; at least, they are jealous, lest by any mismanagement on the part of the missionaries, or misunderstanding on the part of the negroes, the public peace and safety should be endangered. You must take the utmost care to prevent the possibility of this evil. Not a word must escape you, in public or in private, which might render the slaves displeased with their masters, or dissatisfied with their station. You are not sent to relieve them from their servile condition, but to afford them the consolations of religion, and to enforce upon them the necessity of being "subject not only "for wrath, but also for conscience sake." Rom. 13. 5. 1 Pet. 2. 19. The holy gospel you preach, will render the slaves who receive it the most diligent, faithful, patient, and useful servants; will render severe discipline unnecessary, and make them the most valuable slaves on the estates: and thus, you will recommend yourself and your ministry, even to those gentlemen who may have been averse to the religious instruction of the negroes. We are well assured that this happy effect has already been produced in many instances, and we trust you will be the honoured instrument of producing many more.

The Directors hope, that Mrs. Smith will consider herself not merely the wife of a missionary, but a female missionary; also, Mrs. Wray has set her an excellent example, which the negroes will doubtless expect Mrs. Smith to follow; and we trust, she will be equally useful. To the female slaves and children she may have better access than yourself; and on some topics, can more properly insist. It is of great importance that the negro mothers be taught how to bring up their children in the fear of God, and that the girls be warned against the temptations so prevalent in the colony.

That you may so conduct yourself, dear brother, so as both to "save yourself and them that hear you;" how necessary is it to attend, in the first place, to personal religion. Take heed to thyself, said Paul to Timothy; though probably he was not exposed to such dangers as yourself. Your work is arduous; O! seek help from God, by daily fervent prayer. You will be deprived, in a great measure, of those religious advantages which you have enjoyed in England; you will not be able to associate, as you have done, with judicious and lively Christians, and probably may feel no small disadvantage from the loss. You will have then the more need to improve the privileges that remain, and of these, access to the throne of grace is the chief. The grace of Christ is sufficient for you, and he will give his Holy Spirit to them that ask him. Pray then, and study your Bible daily, especially the New Testament, and then go to the instruction of the poor negroes, and out of the abundance of your heart, declare the whole counsel of God.

Thus will you be the means of repairing the breaches which have happened at Le Resouvenir, of restoring the station to its former prosperity; yea, we trust, of widely extending the blessed cause of truth and holiness in that place, and in the regions round about.

The Directors hope, that the same advantages towards your support as were granted by our invaluable friend Mr. Post, to Mr. Wray, will be continued to you by Mrs. Vanderhaas, or the present occupier or manager of the estate, if she is absent. The Directors will be ready to make up the unavoidable deficiencies, but which we hope and trust will be kept within the strictest bounds of economy. You will not fail to write as soon as possible, what support you can obtain at Demerary, and what further supplies, if any, will be needful from home. We shall also expect, every quarter, or half-year at most, an abstract from the journal which we wish you to keep of your proceedings, and all memorable occurrences.

As various inconveniences have in some cases arisen from missionaries leaving their appointed situations, the Directors expect that you will not desert your post, or exchange it for another, without imperious necessity, nor take any step which may incur additional expense, without the consent of the Directors, first obtained in writing. It is also necessary to add, that they will not be responsible for any debts contracted on the score of building either chapels or houses, without their consent in writing, as before mentioned.

These things are mentioned, not on account of any suspicion entertained by the Directors that you will act contrary to their wishes, but in the same cautionary manner as they mean to address every new missionary.

And now, dear brother, we most sincerely and affectionately commend you to God, whose you are, and whom you serve, praying that he may ever preserve you from all evil, supply you with all spiritual blessings, and crown your missionary labours with great success.

By order of the Directors,

Mr. John Smith, Missionary to Demerary. *Geo. Burder*, Secretary.

—N° 29.

To his Excellency John Murray, Lieutenant Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c.

The humble Petition of John Smith,

Sheweth,—That your petitioner, a missionary of "The London Missionary Society," residing at plantation Le Resouvenir, is desirous of extending his ministerial labours more widely among the negroes on the East Coast than he has heretofore been able to do; that to effect this object, he wishes to erect a chapel, in which he may be permitted to perform divine service; and that he has obtained of John G. Reed, esq. the gift of a piece of land in front of plantation Lowlands, as the accompanying letter will show.

Your petitioner therefore humbly prays, that your Excellency would be pleased to grant permission to erect a place of worship on the said plantation Lowlands, for the accommodation of the negroes in that neighbourhood.

And your petitioner, as in duty bound, will ever pray, &c.

Demerara, (s.) *John Smith.*
September 17, 1822.

Great complaints existing against the conduct of the petitioner, in his mission on the East Coast, especially as to the hours of his flocks congregating, or his chapel being open; and having perused a correspondence between this petitioner and the Burgher Captain of the district, in which the petitioner has not evinced a conciliatory disposition, I cannot grant the prayer of this petition, without having an opportunity of satisfying myself of the reasonableness of the petitioner's projected system of conduct, with respect to this newly intended establishment.

King's House, Sept. 23, 1822. (s.) *Jn Murray.*

By command,

Ent^{d} L. fo. 148. (s.) *T. C. Hammill*, Gov. Sec^{y}.

— N° 30. —

Dear Sir,   Plantation Vigilance, 8th July 1822.

Your letter by Strephon I have received, and in answer beg leave to inform you what caused him to abscond; he was ordered as watchman to our middle-path bridge on Friday night last, and in place of acting conformable to his orders he went carousing, in consequence of which the bridge was much injured; finding that the case, he took himself off.

Strephon transgressed at a very early period after my taking over the management of this property; but I must acknowledge, that he has lately behaved very well, and I was never more astonished than when he was returned as an absentee.

There is seldom a Sunday morning that himself and several others, do not come and ask permission to attend service, which I make it a rule never to refuse, in the full conviction that it must prove beneficial to some of them; I cannot say all.

The pardon you ask for Strephon, Sir, I of course shall grant, and I hope you will see the justice of your admonition and wholesome advice.

An answer will oblige,

Addressed outside,   Your's respectfully,

Reverend John Smith, Le Resouvenir.   *John G. Abbott.*

True Copies,

I. L. Smith, jun.   *S. A. Goodman*,
Assistant Judge Advocate.   Lt. Col. and President.

— N° 31. —

1.—Permission is hereby granted to the bearer, Swida, to get herself baptized.
Plantation La Bonne Intention, 7th January 1822.   N. G. Tholen, Manager.

2.—Permit is hereby granted to the negro, Lindor, and his wife Bella, and two children, names, Dinkie and Phoebe, to be baptized.   N. G. Tholen.
La Bonne Intention, 20 January 1822.

3.—Permit is hereby granted to the negro woman, Queen, to be baptized.
La Bonne Intention, 20 January 1822.   N. G. Tholen.

4.—Permit is hereby granted to the negro woman, Eliza, to be baptized.
La Bonne Intention, 20 January 1822.   N. G. Tholen.

5.—Permit is hereby granted to the negro, Zoutman, and his two children, boy Hope and girl Monimia, to be baptized.   N. G. Tholen.
La Bonne Intention, 20 January 1822.

6.—The following negroes have applied to me for permition to be christned; I have given them leave to wait on you to-day for that purpose, and see no cause why baptism may not be administered to them.   A. Mackie.
Lusignan, 13th September 1818. The Rev. J. Smith.

Owen and Grace, with their children, Dick, Eve, Suckee, Ned,
Jeamy, and two children - - Monimiah and Margo.
Casandra - d° - d° - - - Rebecca and Countis.
Bell - - - d° - d° - - - Madge and Frank.

7.—The negroes, Queen, Princes, Cordelia, Franky and Queen, wait on you for the purpose of being christened.
Lusignan, 20th September 1818. The Rev. J. Smith.   A. Mackie.

8.—The bearer hereof, named Aurora, and her daughter, named Betsey, and grandson, named Jacob, are wishful of being baptized; and during my residence on this estate, the above-named Aurora and Betsey have conducted themselves in a quiet and well-disposed manner.
Plantation Industry, March 12, 1823.   Samuel Orford, Manager.

9.—The bearer hereof, named Peter, his wife, named Sylvia, and children, named Klass, George, Antoinette, Thomas and Sally, are wishful of being baptized; and during my residence on this estate their conduct has been very regular and becoming.
Plantation Industry, March 15, 1823.   Samuel Orford, Manager.

10.—The negroes, Betsey and Keis, are wishful of being baptized; and during my residence on this estate their conduct has been very regular and becoming.
Plantation Industry, 9th March 1823. Samuel Orford, Manager.

11.—The bearer hereof, named Daatye, is wishful of being baptized, together with her three children, named Johanna, Charles and Friday. During my residence on this estate the conduct of Daatye has been that of a quiet and well-disposed negro woman.
Plantation Industry, March 12, 1823. Samuel Orford, Manager.

12.—Permission is hereby granted to the negro woman, Juno, to be baptized.
Beter Verwagting, the 19th January 1822. C. A. Van Grovestins.

13.—Permission is hereby given to the negro man, Klein Joseph, to be baptized.
Pl. Beter Verwagting, the 21st April 1821. C. A. Van Grovestins.

14.—Permission is hereby granted to the negro woman, Diana, her daughter Lea, and grand-children, Frans, Leonard, Richard and Fanny, to be baptized.
Pl. Beter Verwagting, the 4th January 1822.

15.—Permission is hereby given to the negro woman, Portia, and her two grand-children Patia and Frederick, to be baptized.
Pl. Beter Verwagting, the 21st of April 1821. C. A. Van Grovestins.

16.—Permission is hereby granted to the boy, Jan, to be baptized.
Beter Verwagting, 19th January 1822. C. A. Van Grovestins.

17.—Permission is hereby granted to the negro woman, Luna, to be baptized.
Pl. Beter Verwagting, the 3d of June 1821. C. A. Van Grovestins.

18.—Permission is hereby granted to the negro man, Biram, his wife Johanna, his sons Stoppel and Jeremias, and his daughter Jeannette, to be baptized.
Pl. Beter Verwagting, 24th June 1821. C. A. Van Grovestins.

19.—Friendship, January 25, 1818.—The bearer, Liverpool, and his wife Molly, beg to go to you to be baptized. I have only to say, that I think very good disposed negroes.
To the Rev. John Smith. John M^{c}Lean.

20.—Friendship, January 25, 1818.—The bearer, Liverpool, is the principal driver on this estate, and I consequently have an opportunity of knowing his disposition; and I feel no hesitation in saying, that I think him worthy of being baptized.
To the Rev. John Smith. John M^{c}Lean.

21.—The bearer, Jacuba, expresses an earnest wish of being baptized; she is a very inoffensive woman, and never have I seen any thing in her behaviour that could be considered reprehensible; I therefore hope you will think proper to realize her wish.
Pl. Friendship, July 26, 1818. The Rev. John Smith. John M^{c}Lean.

22.—The bearer, Joert, belonging to Le Resouvenir, is wishful to be baptized, to which I have no objection, and leave it to you to judge if his moral character will entitle him to it. H. V Cooten.
Vryheids Lust, 8th October 1820. Rev. Mr. John Smith, Le Resouvenir.

23.—The Rev. Mr. John Smith, Missionary, is requested to baptize Mietje, and her four children, Agnes, Lemon, Jem, Manet; and also her father Tom; by his most obedient servant. H. V. Cooten.
Vryheids Lust, 24th December 1818.

24.—I am requested by Jason, of Belerhup estate, to allow to be baptized Nancy, his grand-daughter, and her two mulatto children, Richard and Joseph; also Jason's own child, Harriet, by Theresa; which I have no objection to, and may be done when you think fit.
Vryheids Lust, 23d November 1817. H. V. Cooten.

Richard born the 10th October 1811; Joseph born 27th December 1813; Harriet born 9th January 1815. Nancy was born the 10th December 1794.
Rev. Mr. Smith, Le Resouvenir.

25.—There are four people more, who wish to be baptized, and to whom I have no objection; being Sultan De Wit and his wife, Hester and Rosina. H. V. Cooten.
Vryheids Lust, 5th April 1822. Rev. J. Smith, Le Resouvenir.

26.—The bearer, named Favoriet, belonging to plantation Wittenburgh, tells me he is very desirous of being baptized, and wishes me to have leave for that purpose, which I have no objection to; and it rests therefore only with you to allow him or not, and when, that secret rite.—Hoping you and Mrs. Smith are in good health. H. V. Cooten.
Vryheids Lust, 1st February 1822. Rev. John Smith, Le Resouvenir.

27.—The holder of this, Aurianna, wishes to be baptized; she has my permission.
Demerary, 10th June 1821. L. Cuming.

28.—The bearers will be Frederick and his wife Ann, and their two children, wishing all to be baptized, and the man and wife to be married. Also Columbus and Nancy, to be baptized and to be married, and mulatto child of Nancy to be baptized. All which, when you think fit, I have no objection to be performed. H. V. Cooten.
Vryheids Lust, 30 March 1822.

I have omitted above, Sultan, who wishes to be baptized. N. V. C.
Rev. Mr. John Smith, Le Resouvenir.

29.—The bearer, my negro, Mars, wishes to have his sister Adriana's child baptized; to which I have no objection, H. V, Cooten.
Vryheids Lust, 24th December 1820. Rev. Mr. John Smith, Le Resouvenir.

30.—My sick nurse, who is the bearer of this, wishing to be baptized, I beg leave to recommend her to you, her general conduct having been such as to give much satisfaction.
Nicholas Van Cooten.
Plant. Vryheids, December 21st, 1817. The Rev. J. Smith, Le Resouvenir.

31.—The bearers, Europa and Manet, being wishful of becoming Christians, will you have the goodness to baptize them (when you shall think them qualified.)
Vryheids Lutt, 20th December 1821. H. V. Cooten.
Rev. Mr. John Smith, Missionary, Le Resouvenir.

32.—Pass the woman, Messie, to be baptized by the Reverend Mr. Smith.
Plantation La Bonne Intention, 26th February 1821. Le Forestier, Mr.

33.—Pass the woman, Jenny, to be baptized by the Reverend Mr. Smith.
Plantation La Bonne Intention, 25th December 1820. LeForestier.

34.—Pass the woman, Europa, and the girl, Mary Ann, to be baptized by the Reverend Mr. Smith. F. M. Le Forestier, Mr.
Plantation La Bonne Intention, 18th March 1821.

35.—The bearer, Louis, has my permission to be baptized. L. Cuming.
Demerary, 18th January 1818.

36.—The bearer, Bess, has my permission to be baptized. L. Cuming.
18th January 1818.

37.—The holder of this, Christina, has my permission to be baptized. L. Cuming.
Demerary, 23d April 1821.

38.—Judith, the holder of this, has my permission to be baptized. L. Cuming.
Demerary, 23d April 1821.

39.—Pass the bearer, Granada, and his wife, Grace, to Mr. Smith, to be baptized.
Plantation Success, 13th October 1822. John Stewart.

40.—The bearer, Isaac, wishes to be baptized; he has my permission.
Demerary, 11th June 1821. L. Cuming.

41.—The bearer, Ann, has my permission to be baptized.
18th Jan. 1818. L. Cuming.

42.—The undernamed have asked my permission to be baptized, which is granted.
Peggy, Frank, Podre, Sally, Harriet.
15th April, 1821. L. Cuming.

43.—The bearer, Polly, has my permission to be baptized.
Demerary, 13th May 1822. L. Cuming.

44.—The holder of this, Massy, has my permission to be baptized.
Demerary, 23d April, 1821. L. Cuming.

45.—The bearer, Joe, has been to me this morning, asking for a note to request you to baptize his daughter, Sarah Grace, and his two grand-children, Cyrus and Abel; I can only say that I have now no objection to your doing so whenever you consider it proper.
Pl. Success, 25th February 1821. John Stewart.

46.—Pl. Success, 23d Dec. 1821.—The following people have been at me this morning for a certificate of their characters, that they may be baptized; I therefore take the liberty to say that their behaviour in general have been pretty good. John Stewart.
George and Patty; William and Kitty; Inverness and Clementina; Hairiot and Scot, Jack and Cudjo.

47.—Pass the bearer, Rose, to Mr. Smith, to be baptized.
Pl. Success, 17th Feb. 1822. John Stewart.

48.—The bearer, Anchilla, has this moment requested me for a certificate of her conduct, that she may be baptized. I can only say that she belonged to me for nearly eighteen months back, and during that period had no fault to find with her behaviour.
Pl. Success, 15th Oct. 1820. John Stewart.

49.—Pass the bearer, Richard and his wife Peggy, to Mr. Smith, to be baptized.
Pl. Success, 14th Dec. 1822. John Stewart.

50.—Pass the bearer, Michael, to Mr. Smith, to be baptized.
Pl. Success, 10th February 1822. John Stewart.

51.—Pass the bearer, Amelia, to Mr. Smith, to be christened.
Plantation Success, 8th October 1820. John Stewart.

52.—The bearer, Harry, has been employed on this estate as carpenter, for the last ten months; his behaviour during that period, ar far as is known to me, has been unexceptionable. John Stewart.
Plantation Success, 26th December 1817.

53.—Pass the bearers, James and his wife Phœbe, to Mr. Smith, to be baptized.
Plantation Success, 14th Dec. 1822. John Stewart.

54.—Pass the bearer, Windsor and his wife Nancy, with her son Pitt, to Mr. Smith, to be baptized. John Stewart.
Plantation Success, 26th Dec. 1821.

55.—Pass the bearer, Isabella, to Mr. Smith, to be baptized. John Stewart.
Plantation Success, 25th Dec. 1821.

56.—Pass the bearers, Smart and Flora, to Mr. Smith, to be baptized.
Plantation Success, 25th Dec. 1821. John Stewart.

57.—Pass the bearer, Belinda, to Mr. Smith, to be baptized. John Stewart.
Plantation Success, 17th June 1821.

58.—Pass the bearer, Bonny, to Mr. Smith, to be baptized. John Stewart.
Plantation Success, 25th Dec. 1821.

59.—Pass the bearer, Mary, to get christened. John M' Bean.
Bellefield, 24th Feb. 1822.

60.—Pass the bearer, Simon, to Le Resouvenir, to get christened John M' Bean.
Bellefield, 4th March, 1822.

61.—Pass the bearer, Ben, to plantation Le Resouvenir, to get christened.
Bellefield, 30th March 1822, John M' Bean.

62.—The bearer (Cumba) being desirous of baptism, I beg leave to recommend her to your notice, as a deserving character. W. D. Couchman.
Plantation Vigilance, June 28th, 1818. Rev. J. Smith, Le Resouvenir.

63.—Plantation Vigilance, April 13th, 1817. A negro of this estate wishing to be baptized, I take the liberty of sending him to you; should any reference as to character be required, I beg leave to bear ample testimony of his good conduct since I have known him; and am further authorized to say it has been universally good, by a gentleman who has known him since his birth.

From the short time I had the pleasure of being in your company, you will not probably recall my name to your memory; I will therefore add, that a few Sundays since I was favoured with an introduction by Mr. L. Van Cooten. W. D. Couchman.
To the Rev. — Smith, Plantation Le Resouvenir.

64.—The bearer (Nancy) has made several applications to me for a recommendation to be baptized, which I have hitherto refused, as her moral character was not such as to authorize me. As she has lately altered much for the better, and been a very regular visitor at chapel, apparently with the anxious desire of improvement, I now submit her to your consideration, and doubt not a little encouragement will bring her to answer every expectation. —With compliments to Mrs. Smith. W. D. Couchman.
Vigilance, December 7th, 1817. Rev. J. Smith, Plantation Le Resouvenir.

65.—The bearer (Bristol) has made application to me to request you would baptize him; his conduct and character are such that I can with much confidence and pleasure recommend him to your notice; and I feel convinced, that after such examination and instruction as you may think necessary, he will not be found the least deserving of your candidates; as he is a leading man on this plantation, this will probably be one step to the fulfilment of your wishes with the rest. I have for some time since promised myself the pleasure of paying you a visit, but Sunday is the worst day of the week for a person leaving the estate that has charge of it, as the negroes having nothing to do, require some one with authority to be constantly with them, and the present pressure of business precludes the possibility of being absent on any other day. W. D. Couchman.
Vigilance, July 13th, 1817. To the Rev. J. Smith, La Resouvenir.

66.—The bearer (Faith) is anxious to get her husband and four children baptized, herself having attended the font before; I therefore recommend them to your notice.
Plantation Vigilance, November 8th, 1818. W. D. Couchman,
Strephon about 20; *Diana about* 15.
Rev. J. Smith, Plantation La Resouvenir.

67.—The bearer (Polly) has been baptised, and is very anxious that her children should be. I have no hesitation in recommending them to your notice. With respects to Mrs. Smith. W. D. Couchman.
Plantation Vigilance, October 11th, 1818. Rev. J. Smith, Plantation Resouvenir.

68.—Plantation Vigilance, July 5th, 1817. I beg leave to recommend Polly Primo, and Cupid (two candidates for the font) to your consideration, as worthy any pains which may be taken with them. W. D. Couchman.
To Rev. J. Smith, La Resouvenir.

69.—The bearer (Mercy) has applied to me to speak to you in behalf of her being baptized; and her general character being as good as any woman on the estate, I beg leave to submit her to your consideration. With compliments to Mrs. Smith.
Plantation Vigilance, February 8th, 1818. W. D. Couchman.
Rev. J. Smith, Plantation La Resouvenir.

70.—The bearer, Cudgo, with Lubin, John, Lucy and Nelly, seems wishful to be baptized, and therefore inform you, that they have behaved themselves soberly and inoffensively since they have been under my direction. James Todd.
N. O. Nassau, 25th Dec. 1821. To the Rev. J. Smith, La Resouvenir.
N. B.—And Kitty, Cudjo's wife.

71.—Arthur's child, Wilson, born 6 June 1817, aged four months and six days.
Eendraght, 12th October 1817. John Tullo.
To be baptized by the Rev. Mr. Smith.

72.—The bearer hereof, named Julia, has her master's permission to be baptized,
Cuming Lodge, 23d Feb. 1818. Colin Campbell, Manager.

73.—By permission of the proprietor, the bearer, a good woman, requests you will baptize her Anna. Colin Campbell, Manager.
Plantation, Cuming Lodge, 7th Dec. 1817. The Rev. Mr. Smith, La Resouvenir.

74.—C. F. Milne's best respects to Parson Smith, and takes the liberty to inform him, that the three women, Bellona, Sally* and Constance, are very wishful of being baptized, if the parson thinks them qualified. M. has no objections to it.
29th May 1818. * *Sally's hus Fortune.*

75.—The bearers hereof, belonging to plantation Friendship, have requested of the undersigned to give them a pass, for the purpose of going to be baptized.
10th June 1821. John Appleton.
Mungo; Jack; Rebecca; Eve; Isabella; Johnny, infant; Duchess.

76.—N. O. Nassau, 4th October 1817.—The under-mentioned negroes, belonging to this estate, have for a considerable time been applying for a letter to be baptized, which I have hitherto not granted, in consequence of a few individuals, whom Mr. Wray baptized some years ago, not having conducted themselves in a proper manner afterwards.

As they have now, however, come to a sense of their duty, if you think it right, may I request the favour of your baptizing those mentioned below; some of them are very old people, and in general they are well behaved, and promise in future to act as faithful servants.

The Rev. Mr. Smith, Le Resouvenir. W. Haig.

Zemera; *hus. Marke; learn little better.*
Adriana; *hus. Mars; - d° - d° - d°.*
Samson; *pretty well; wife Lora.*
Bevene; *little better than Sampson; Lucy is his wife.*
Colin; *not so well as Bevene; wife Nancy.*
Nancy; *very indifferent.*
Fortune; *pretty well; wife Belzarah.*
Hercules; *very indifferent; no wife.*
Nelson; *must learn little better; wife Elizubeth.*
Coletta; *she must learn a little better; hus. Will. of Lusignan.*
Fredrick.

77.—Plantation Vigilance, 30th December 1821.—At foot I beg leave to hand you the names of some people belonging to this estate, who wait on you for the purpose of being baptized.

Reverend ——— Smith, Pl. La Resouvenir. Jno. G. Abbott.

Beram, Hood, Bob, Petit, Duncan, Catherine, Jeannette, and her children, Arianti, Princess, Popea and Cecelia.

78.—The bearers, Jannet, Judy and Francis, are wishful of being baptized, to which I have no objections, and hope they may be found fit for it. If the weather holds up to-day, I hope to have the pleasure of seeing you and Mrs. Smith.

Mon Répos, 20th February 1818. J. S. Kelly.

To the Rev. John Smith, Le Resouvenir.

79.—Lusignan, 25th December 1820.—The bearers of this, King and Richard, has permission to be baptized, by desire of Mr. Jack, manager.

For the Reverend Mr. Smith. John Garden.

Richard is a Creole, about 19; *answers well; is apprenticed in town to Mr. King.*

80.—The under-mentioned negroes have requested a pass, to beg the Rev. Mr. Smith to baptize them.

Friendship, 10th February 1822. Jn° Appleton.

Davy, Pitt, Quashey, Tory, Buck, Doll, Margaret.

81.—Pass Kitty, with three children, to get baptized.

	Y	M	D.
Natty, born 30th July 1806, aged - - - -	11	2	19
Brutus, born 11th September 1809, aged - -	8	1	8
Patrick, born 1st November 1810, aged - - -	6	11	11

Patrick is dead.

Endraght, 19th October 1817. John Tullo.

82.—The bearer hereof, named Jupiter, belonging to this estate, is desirous of having his child named Cassius christened, and requesting a certificate of character for that purpose; I hereby declare that he is a well disposed person. R. Murray, Manager.

Lusignan, 17th November 1822.

To the Rev. Mr. Smith, Bethel Chapel, La Resouvenir.

83.—The bearer hereof, named Owen, belonging to this estate, is desirous of having his infant child, named Providence (aged six months) christened; and requesting a certificate of character for that purpose, I hereby declare that he is a well-disposed person.

Lusignan, 18th May 1823. R. Murray, Manager.

To the Rev. Mr. Smith, Bethel Chapel, La Resouvenir.

84.—The bearers, Jupiter, Queen, King, Elizabeth, Jack, Stantia, Midas, Philis and Clarissa, wishes to be baptised, which rites you will be pleased to perform if you find them fit objects. N. M'Kinnon.

Demerary, 20th January 1818.

True Copies,

I. L. Smith, jun. *S. A. Goodman*, Lt. Col.
Assistant Judge Advocate.

A.

Certified Copy of Court Martial Trial of *Telemachus*, Demarary, on 2d September 1823.

CHARGE preferred by order of his Excellency, Major-General John Murray, Lieutenant-Governor and Commander-in-Chief in and over the United Colony of Demerara, Essequibo, &c. &c. &c. against *Telemachus*, a Negro employed on Plantation Bachelor's Adventure.

Charge.

For having on or about the night of Monday, the 18th August last, being in open revolt and rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony, and also for aiding and assisting others in such rebellion; and further, for causing, exciting and promoting such revolt and rebellion, by acting as a chief, or leader, or headman.

(s.) *Rich^{d} Creser*, Assist. Judge Advocate.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Telemachus, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Telemachus, is guilty of the charge preferred against him, and does therefore sentence him, the prisoner Telemachus, to be hanged by the neck, until he be dead, at such time and place as His Excellency the Commander-in-Chief, may deem fit, and then to be hanged in chains.

(s.) *Rich^{d} Creser*, Assist. Judge Advocate,

(s.) *S. A. Goodman*, Lt. Col. Com. & Pres.

I approve the finding, and confirm the sentence, of this court-martial, and direct the execution of the prisoner Telemachus, on the Parade Ground in Cumingsberg, on the evening of Friday, 12th September inst.

(s.) *John Murray*, Commander-in-Chief.

Head Quarters at Camp House, Demerary, 11th September 1823.

B.

Certified Copy of Court Martial Trial of *Sandy*, Demerara, on 3d Sept. 1823.

CHARGE preferred by order of his Excellency Major General John Murray, Lieutenant-Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c. against *Sandy*, a negro of plantation Non-Pareil;

Charge.

For having, on or about the night of Monday the 18th August last, been in open revolt and rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also, for aiding and assisting others in such rebellion; and further, for causing, exciting and promoting such revolt and rebellion, by acting as a chief, or leader, or headman.

(s.) *Rich^{d} Creser*, Assistant Judge Advocate.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner *Sandy*, as well as the statement made by him in his defence, is of opinion, that he the prisoner *Sandy*, is guilty of the charge preferred against him, and does therefore sentence him the prisoner *Sandy*, to be hanged by the neck until he be dead, at such time and place as his Excellency the Commander in Chief may deem fit, and then to be hanged in chains.

(s.) *Rich^{d} Creser*, Assistant Judge Advocate.

(s.) *S. A. Goodman*, Lieut. Colonel and Commandant, T. B. M. and President.

Approved,
(s.) *John Murray*, Commander in Chief.

C.

Certified Copy of Court Martial Trial of *Paul,* Demerara, 11th Sept. 1823.

CHARGE preferred by order of his Excellency Major-General John Murray, Lieutenant-Governor and Commander in Chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c. against *Paul,* a negro of Plantation Friendship;

Charge.

For having, on or about the night of Monday, the 18th August last, been in open revolt and rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also, for aiding and assisting others in such rebellion. (s.) *Richd Creser,* Assistant Judge Advocate.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the Charge preferred against the prisoner Paul, as well as the statement made by him in his defence, is of opinion, that he, the prisoner Paul, is guilty of the charge preferred against him; and does therefore sentence him the prisoner Paul, to be hanged by the neck until he be dead, at such time and place as his Excellency the Commander in Chief may deem fit; and then to be hanged in chains.

(s.) *Richd Creser,*
Assistant Judge Advocate.

(s.) *S. A. Goodman,*
Lieut. Colonel Commandant and President.

I approve the finding, and confirm the sentence of this Court Martial, and direct it to be carried into effect on the Parade Ground, in Cummingsburg, on the evening of Friday, 12th September instant. (s.) *Jno Murray,* Commander in Chief.

Head quarters at Camp-house, Demerary,
11th September 1823.

D.

Certified Copy of Court Martial Trial of *Quamina,* Demerara, 10 Sept. 1823.

CHARGE preferred by order of His Excellency Major General John Murray, Lieutenant Governor and Commander-in-Chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c. against *Quamina,* a negro of Plantation Nootens Zuyl.

Charge.

For having on or about the night of Monday the 18th of August last, been in open revolt and rebellion, and actively engaged therein, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also, for aiding and assisting others in such rebellion. (s.) *Richd Creser.* Assist. Judge Adv.

Opinion and Sentence.

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the Charge preferred against the prisoner Quamina, as well as the statement made by him in his defence, is of opinion that he, the prisoner Quamina, is guilty of the charge preferred against him; and does therefore sentence him, the prisoner Quamina, to be hanged by the neck until he be dead, at such time and place as his Excellency the Commander-in-Chief may deem fit.

(s.) *S. A. Goodman,*
Lieut. Col. and Com. and Pres.

(s.) *Richd Creser,*
Assistant Judge Advocate.

I approve the finding, and confirm the sentence of this Court Martial, and direct it to be carried into effect on the Parade Ground, in Cummingsburg, on the evening of Friday, the 12th September instant. (s.) *John Murray,* Commander-in-Chief.

Head Quarters at Camp-house,
Demerary, 11th Sept. 1823.

E.

Certified Copy of Court Martial Trial of *Jack,* Demerara, 18 to 22 September 1823.

Charge. CHARGE preferred by order of His Excellency Major General John Murray, Lieutenant Governor and Commander-in-Chief in and over the United Colony of Demerara and Essequibo, &c. &c. &c. against *Jack,* a negro of Plantation Success.

For causing, exciting, and promoting revolt and rebellion, against the peace of our Sovereign Lord the King, and the laws in force within this colony; and also for having, on or about the night of Monday the 18th of August last, been actively engaged in such revolt and rebellion; and further, for acting as a chief, or leader, or headman, in such revolt and rebellion, and also aiding and assisting others therein.

(s.) *Heyliger,* Judge Advocate.

Opinion and Sentence. The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charge preferred against the prisoner Jack; as well as the statement made by him in his defence, and the evidence adduced in support thereof, is of opinion, that he, the prisoner Jack is guilty of the charge preferred against him, and does therefore sentence him the prisoner Jack, to suffer Death, at such time and place as His Excellency the Commander-in-Chief may deem fit.

(s.) *Heyliger,* Judge Advocate.
Approved, (s.) *John Murray,* Commander-in-chief.

(s.) *S. A. Goodman,*
Lt. Col. Com. and Pres.

(A true Copy.)

I. L. Smith, jun.
Assistant Judge Advocate.

J. A. Goodman,
Lt. Col. and Pres.

III.

DEMERARA.

FURTHER PAPERS:

VIZ.

DOCUMEMTARY EVIDENCE;

&c.

Ordered, by The House of Commons, *to be Printed,*
24 *May* 1824.

338.

SLAVES.

PAPERS

RELATING TO THE

Treatment of Slaves in the Colonies;

VIZ

ACTS OF COLONIAL LEGISLATURES;

1818—1823.

Ordered, by The House of Commons, *to be Printed,*
23 *March* 1824.

Return to an Address of the Honourable The House of Commons,
dated the 12th of March 1824;—*for*,

Copies of all ACTS of the Colonial Legislatures, and also, of all Orders, Proclamations, or other Regulations, respecting the Condition and Treatment of Slaves; which have not been already laid before this House.

SCHEDULE OF ACTS, &c.

ANTIGUA.

Nº 1.—*An Act for repealing an Act, intituled, "An Act for settling and regulating the Trial of Criminal Slaves by Jury, and for establishing a more regular and solemn Judicature for the Trial of Slaves accused of Felony without benefit of Clergy, or other capital crimes."* - - - *8th March* 1821 - - p. 5

Nº 2.—*An Act for raising the sum of Ten thousand Pounds Sterling for the immediate relief of the Slave Population of this Island.* - - *12th September* 1822 - p. 9

BARBADOES.

Nº 3.—*An Act for the better prevention of the practice of Obeah* *28th July* 1818 - p. 13

Nº 4.—*An Act to repeal and amend certain Acts made for the government and protection of Slaves* - - - *29th July* 1818 - - - - - p. 14

BAHAMAS.

Nº 5.—*An Act to extend certain privileges of Persons of free condition within these Islands.* - - - *23d January* 1822 - - - - - - p. 15

Nº 6.—*An Act to amend an Act, intituled, "An Act to establish a Triennial Registration of Slaves in the Bahama Islands."* - - *28th January* 1823 - p. 16

BERMUDA.

Nº 7.—*An Act for increasing the number of Clergyman within these Islands.* *17th March* 1820 - - - - - - - - - - p. 17

CAPE OF GOOD HOPE.

Nº 8.—*A Proclamation issued by Lord Charles Henry Somerset, for religious Instruction and treatment of Slaves.* - - - *18th March* 1823 - - p. 18

DOMINICA.

Nº 9.—*An Act for regulating the government and conduct of Slaves, and for their more effectual protection, encouragement, and the general melioration of their condition.* - - - *2d June* 1821 - - - - - - - - p. 22

Nº 10.—*An Act to amend and make perpetual an Act, intituled, "An Act to prevent the buying of Coffee or other Produce from Slaves, to regulate the business of cleaning Coffee, and to prohibit the possession of Coffee in Berry and Parchment, unless to the amount and the description of Persons herein allowed and accepted."* - - - *22d March* 1821 - - - - - - - p. 29

JAMAICA.

Nº 11.—*An Act to amend the Slave Act, by altering the mode of carrying into execution the sentence of Death on Slaves.* - - - *14th December* 1821 - p. 31

MONTSERRAT.

Nº 12.—*An Act for the Trial of Slaves accused of Criminal Matters or Offences by Jury.* - - - *4th June* 1822 - - - - - - ibid.

N° 13.—*An Act to aid and assist the Magistrates in the performance of their duty, and for establishing a Police and Nightly Watch, as also a Criminal Gang, in the said Island.* - - - *6th March* 1823 - - - - - p. 33

NEVIS.

N° 14.—*An Act to alter and amend an Act, intituled, "An Act for settling and regulating the Trial of Criminal Slaves by Jury," to ascertain and regulate the fees of Justices of the Peace and the charges of Constables, and to authorize the said Justices to compel the payment of such fees and charges by the Parties on whom the same shall be chargeable.* - - - *4th January* 1820 - - p. 37

N° 15.—*An Act for the relief of the Negro Population of the Island of Nevis. 2d December* 1822 - - - - - - - - - - p. 43

ST. VINCENT.

N° 16.—*An Act to repeal an Act, intituled, "An Act for making Slaves real Estate," and to ameliorate the condition of Slaves, and for other purposes. 6th June* 1821 - - - - - - - - - - - p. 46

TOBAGO.

N° 17.—*An Act to repeal an Act, intituled, "An Act to compel Persons manumitting Slaves in this Island to provide for their support, and to restrict manumissions of Slaves belonging to other Islands," and to substitute a new Law in lieu thereof. 9th February* 1821 - - - - - - - - - - p. 62

N° 18.—*An Act to continue for a further time an Act, intituled, "An Act to regulate the conduct and to fix the value of the Labour of Negroes acting as Porters and Labourers in the town of Scarborough and Plymouth."* - - - *12th October* 1821 - - - - - - - - - - - - p. 63

N° 19.—*An Act to place a sum of Money at the disposal of the Committee appointed for the purpose of receiving Tenders for a Vessel to go to Cumuna to bring up certain Slaves who have absented themselves from the service of their Owners.* - - - *25th January* 1823 - - - - - - - ibid.

N° 20.—*An Act to empower the Magistrates to take charge of and confine Lunatic and Insane Persons, and to provide for their maintenance and support, and to prevent abuse in the manumission of Slaves.* - - - *15th April* 1823 - p. 64

VIRGIN ISLANDS.

N° 21.—*An Act for meliorating the condition of the Free Coloured and Free Black Inhabitants of these Islands* - - - - - - - - - - p. 65

Colonial Department,
Downing-Street,
12th March 1824.

R. J. WILMOT HORTON.

COLONIAL ACTS.

ANTIGUA.

N° 1.—*AN ACT for repealing an Act, intituled, "An Act for settling and "regulating the Trial of Criminal Slaves by Jury," and for establishing a more regular and solemn Judicature for the Trial of Slaves accused of Felony without benefit of Clergy, or other Capital Crimes.*

Antigua.

WHEREAS it is expedient that the present mode of trying Slaves accused of Felony should be abolished, and that the trial of Slaves in cases of Felony without benefit of Clergy, and other capital Crimes, should in future be assimilated, as closely as possible, to that of free Persons; May it therefore please Your Most Excellent Majesty, That it may be enacted; And be it Enacted by the Governor in Chief in and over Your Majesty's islands of Antigua, Montserrat and Barbuda, and the Council and Assembly of this Your Majesty's island of Antigua, and it is hereby enacted and ordained by the authority of the same, That an Act of this island, intituled, "An Act for settling and regulating the Trial of criminal Slaves "by Jury," dated the twenty-eighth day of February, which was in the year of our Lord one thousand seven hundred and ninety-eight, and every clause, matter and thing therein contained, shall be and the same is and are hereby repealed.

And be it further enacted, that on the last Friday in the month of January, and the last Friday in the month of July in the present year, and in each and every year henceforward, there shall be held at the court-house, in the town of Saint John in the said island of Antigua, a court for hearing and determining all felonies without benefit of clergy, and other offences which, by the laws of this island, are or may be punishable with death, committed or perpetrated by slaves; which said court shall be called or styled "The Court of King's Bench and Grand Sessions for the "Trial of criminal Slaves," and shall have and is hereby invested with the same, and as full power to hear, judge, determine and execute, in all felonies without benefit of clergy, and other offences which, by the laws of this island, are or may be punishable with death, committed by slaves within this island and the islands thereto adjacent, and belonging in the said island, as the court of King's Bench in that part of Great Britain called England, as in England, and as justices of Oyer and Terminer, and General Gaol Delivery, have in England; and also shall have, and is hereby vested with the same powers to hear, try, judge, determine and execute, in all felonies without benefit of clergy, and other offences which, by the laws of this island, are or shall be punishable with death, committed by slaves, and to do all such other matters and things therein, as by any law or act of this island the court of King's Bench and Grand Sessions for Antigua, and justices of Oyer and Terminer, and General Gaol Delivery in the said island have, or are empowerd to do, in regard to crimes committed by free persons; and shall adjudge and determine in all and every felonies without benefit of clergy, and other offences which, by the laws of this island, are or may be punishable by death, committed by slaves, according to the laws and statutes of Great Britain in force, or to be in force here, and the particular laws and acts of the said island of Antigua, and the general laws of the Leeward Carribee Islands.

And be it further enacted, that the said court of king's bench and grand sessions for the trial of criminal slaves, hereby established, shall be and is hereby declared to be, to all intents and purposes, a court of record; and also that no particular commission shall be necessary for holding the said court, or appointing justices thereof;

but the justices thereof shall be and are hereby authorized and enabled to act in all things aforesaid by virtue of this Act, without further writ, commission or authority.

And be it further enacted, that the several persons following shall be justices of the said court and no other; (that is to say), the lieutenant-general of His Majesty's island of Antigua, Montserrat and Barbuda for the time being, the lieutenant-governor of this island for the time being, all the members of His Majesty's council for this island for the time being, the speaker of the assembly of this island if he shall be one of His Majesty's justices assigned to keep the peace within this island, the justices of the court of common pleas and the barons of the exchequer of this island for the time being, and all His Majesty's justices of the peace of this island for the time being, except always that if any one of the said persons shall then happen to be commander-in-chief of the islands of Antigua, Montserrat and Barbuda, he shall not be a justice of the said court, which so acting as commander-in-chief, because in him rests the exercise of the prerogative annexed to the high executive power of pardoning or respiting criminals.

And be it further enacted, that the said court of king's bench and grand sessions for the trial of criminal slaves, hereby established, shall have power and authority to sit and adjourn respectively, from time to time, during the space of thirty days from the first time of meeting, hereby appointed for holding each court respectively, and no longer; and if by alarms or other causes the court cannot meet at the time hereby prefixed, the person in chief command on this island may appoint any other day for holding the said court, and the same shall be held accordingly, so always as there shall be fourteen days from the day of making such order unto the day thereby to be appointed for holding the said court.

And be it further enacted, that the clerk of the crown of this island for the time being, or his lawful deputy, shall be the clerk of the said court of king's bench and grand sessions for the trial of criminal slaves, hereby established; and the provost-marshal of this island for the time being, or his lawful deputy, shall be the marshal of the same court; and that the said provost-marshal or his deputy shall, at his own expense, find a crier and at least three more under officers to attend the grand and petty juries.

And be it further enacted, that summons by way of letter shall be issued by the secretary to each of the respective justices of the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, requiring their attendance at the day hereby appointed for holding each court; which summons shall be timely delivered to the marshal, so that he may serve it six days at least before each day for holding the same court, and the marshal or his deputy appointed for that purpose shall serve it accordingly.

And be it further enacted, that all coroners and constables of this island are hereby required, at their peril, to attend without further notice at the said courts respectively, from the beginning of the sessions to the end thereof, unless excused or sooner discharged by the court, otherwise shall be liable to fines on nonattendance, not under three pounds, nor above ten pounds current gold or silver money of the said island

And be it further enacted, that all justices of the peace, coroners and other persons, who shall have taken any inquests, depositions, recognizances, or other papers relating to the matters cognizable by the said court hereby established, shall send the same to the clerk of the crown four days before the holding each of the said courts; and if taken within such four days, then as soon after the same were taken as conveniently may be.

And be it further enacted, that the clerk of the crown at his peril shall, ten days at least before the sitting of each court hereby established, issue out a writ or precept in general terms, in the King's name, which shall be tested generally to this effect: "Witness the justice of the said court hereto subscribing and "sealing;" and the marshal, at his peril, shall address himself to some of the said justices upon the island, applying to them, in course, according to their degrees, beginning with the lieutenant-general first, and so downwards in order, and shall get the said writ or precept signed by two or more of them, the tenor whereof shall be to summon a sufficient grand jury, and sufficient petty juries, of the freeholders and inhabitants of this island, to serve at the next court of king's bench and grand session for the trial of criminal slaves, to be held for this island

Antigua.

on the   day of   next (or instant), in the town of Saint John, in this island, and to publish the holding of the said court.

And be it further enacted, that by virtue of the said writ the provost marshal or his deputy shall summon thirty persons of the best note, not being members of the court, freeholders and inhabitants of this island, to serve as grand jurors; and, at least forty-eight sufficient freeholders and inhabitants of this island, to serve as petty jurors at the said courts respectively; and, to prevent disputes about good service of notice to such jurors, the summons shall by a short writing, signed by the marshal or his deputy, to this effect: "Mr. *A. B.* appear on the
"   day of   next or instant, and serve as a grand juror or petty juror "(distinguishing which in the summons) at the court of king's bench and grand "session for the trial of criminal slaves," which summons shall be served personally, or by leaving it at the usual place of abode of the person summoned at least four days before, exclusive of the day of attendance; and the marshal or his deputy shall publish further the holding each of the said courts, in the contract paper of this island, five days before the holding each court, if there shall be any contract paper, and if there shall be no contract paper then in any other paper published in this island; and if there shall be no paper published, then by fixing up a publication in writing, in a large hand, at the north and south gates of the court-house in Saint John's, at least five days before the day of holding each of the said courts; and so when held on an appointment by the governor, or person in chief command, in cases of alarms and interruptions as aforesaid.

And be it further enacted, that any person who shall be concerned to defend or prosecute in the said court hereby established, shall and may have subpœnas for witnesses to attend under penalty of fifty pounds current gold and silver money of this island for each witness not attending, to be served, in case the evidence of a slave be required, upon the owner or proprietor of such slave, or the representative of such owner or proprietor, and the penalty to be paid in default by such owner or proprietor, or representative as the case may be, and to be recovered in manner and for the same uses as is by law established in case of subpœnas for witnesses to attend in the court of common pleas of this island, which subpœnas shall be signed and sealed only by the secretary of this island, or his lawful deputy for the time being, and shall be tested in the King's name; but nothing herein to hinder the binding over any witness to appear at the said court hereby established by recognizances: and in case a recognizance should be required for the appearance of any slave, the owner or proprietor, or representative of the owner or proprietor of such slave, shall enter into the recognizance required, or in default thereof, the said slave shall be committed.

And be it further enacted, that the fines of jurors not appearing at the call of their names at the courts hereby established, or departing without leave of the said courts, shall be as follow: viz. a grand juror, for every default ten pounds current gold or silver money of this island; and every petty juror, five pounds like money for each default.

And be it further enacted, that all fines imposed or recognizances estreated, under or by virtue of this act, shall be recovered in the mode and manner pointed out by the act, constituting the court of king's bench and grand sessions for this Island.

And be it further enacted, that on the application of counsel on the part of the master or proprietor, or the representative of the master or proprietor, of any slave or slaves confined in the common gaol on any charge or charges of felony without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death, to any two or more justices of the court of common pleas, when neither the court of king's bench and grand sessions, nor court of common pleas is actually sitting, it shall and may be lawful for the said two or more justices, at any time of the year, to issue a writ of habeas corpus out of court, and make the said writ returnable before them either out of court, or in court, and to hear and determine therein; and in all cases to remand or discharge, with or without bail, as to them shall seem fit, as effectually as the said court of king's bench and grand sessions, or court of common pleas, could or might if sitting determine in the case of a free person.

And be it further enacted, that nothing herein contained shall be construed to prevent the governor or commander-in-chief of the islands of Antigua, Montserrat, and Barbuda for the time being, from issuing at any time or times a commission or

Antigua.

commissions of oyer and terminer and gaol delivery, for the trial of slaves accused of felonies without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death; but all and every courts and court which shall or may be at any time hereafter convened and held under or by virtue of any such special commission, shall be and the same are and is hereby invested with as full and ample power and authority, in every respect, as the court of king's bench and grand sessions for the trial of criminal slaves hereby established.

And be it further enacted, that in all cases of the trial of slaves for felony without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death, the prosecution shall be carried on at the suit of the Crown, by the attorney or solicitor-general, or by both those officers if thought necessary, and in their absence by the senior king's counsel, and counsel shall be assigned by the court to the slave so charged with felony, upon his or her application, or upon the application of his or her proprietor on his or her behalf, or of the representative of such proprietor.

And be it further enacted, that in all trials for felonies, or other offences cognizable by the said court, the testimony of slaves for and against one and another shall be valid and admissible in law; and such testimony shall be taken (as has always heretofore been usual and customary in this island) without oath.

And be it further enacted, that all slaves charged with felonies without benefit of clergy, or other offences which by the laws of this island are or may be punishable with death, in the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, shall be tried upon a regular indictment, and with every other legal formality which is essential to the trial of free persons under a similar charge; and the said court of king's bench and grand sessions for the trial of criminal slaves shall be considered as auxiliary to the court of king's bench and grand sessions for Antigua, and shall in every respect (except as is hereinbefore specially directed, provided and specified,) from time to time and at all times hereafter be summoned, convened, assembled, composed, constituted, held and adjourned, and in all its process and proceedings as to the summoning and forming of juries, and otherwise, wholly and entirely guided and governed, under, by and according to the same forms, regulations, rules of practice, provisions, conditions, reservations and restrictions, as are prescribed, provided, reserved and established, for settling and regulating the constitution, process, practice and proceedings of the said court of king's bench and grand sessions for Antigua, in and by an act of this island, intituled, "An Act for establishing courts of common pleas, error, "king's bench, and grand sessions, and for the better regulating and settling due "methods for the administration of justice."

And be it further enacted, that whenever sentence of death shall be passed upon any slave or slaves by the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, the president of the said court shall, within twenty-four hours after the sitting of the said court, issue a warrant under his hand and seal directed to the provost-marshal of this island, or his lawful deputy, to cause such slave or slaves to be executed according to law, at such time and place as the said president of the court shall appoint, but not sooner than four days after judgment.

And be it further enacted, that in case any slave or slaves indicted for felony without benefit of clergy, or any other offence which by the laws of this island is or may be punishable with death, shall on trial be found guilty by the jury of any minor offence, to which the punishment of death is not by law annexed, it shall and may be lawful for the said court of kings bench and grand sessions for the trial of criminal slaves hereby established, and it is hereby authorized and empowered by warrant under the hand and seal of the president of the said court, to cause to be inflicted on such slave or slaves so convicted of any minor offence, such corporal punishment, and in such place, at such time, or for such period, as it shall in its discretion think fit.

And be it further enacted, that whenever sentence of death shall be passed upon any slave or slaves by the said court of king's bench and grand sessions for the trial of criminal slaves hereby established, the president of the said court shall within the space of thirty-six hours after passing such sentence, give due notice of the same to the governor or person in chief command in this island for the time being.

And be it further enacted, that every or any slave who may be now in custody in the common goal of this island, under a charge of felony without benefit of clergy

Antigua.

clergy, or any other offence which by the laws of this island is punishable with death, shall be tried under and by virtue of this act, and not otherwise.

Dated at Antigua, the 15th day of March, in the year of our Lord 1821, and of His Majesty's reign the second.

(signed) *Nicholas Nugent*, Speaker.

Passed the Assembly the 4th of January 1821.

(signed) *Nathaniel Humphrys*, Clerk of the Assembly.

Passed the Council the 8th day of March 1821.

By command, (signed) *Thomas Shirley Warner*, Dep^y Sec^y, &c.

(signed) B. D'URBAN, (L. S.)

Duly published this 17th day of March 1821.

(signed) *R. L. Nanton*, D. P. Marshal.

ANTIGUA.

N° 2.—*AN ACT for raising the sum of Ten thousand Pounds Sterling, for the immediate relief of the Slave Population of this Island.*

Antigua.

WHEREAS it is found indispensably necessary that a sum of ten thousand pounds sterling should be forthwith raised and paid, applied and disposed of in manner hereinafter particularly mentioned and set forth, for and towards the immediate support and subsistence of the slave population of this island: And whereas in the existing disastrous and calamitous situation of the colony, it is found altogether impracticable at this particular period to raise such sum of money for our own internal resources, and it hath been therefore deemed expedient to apply in such our emergency to His Majesty's Government for present relief by a loan to the amount of such sum of money: We therefore Your Majesty's most dutiful and loyal subjects, the Captain General and Governor in Chief in and over Your Majesty's islands of Antigua, Montserrat and Barbuda, and the Council and Assembly of this Your Majesty's island Antigua, do most humbly pray Your most excellent Majesty, that it may be enacted and ordained; And be it and it is hereby enacted and ordained by the authority aforesaid, that from and immediately after the publication of this act his Excellency the captain-general of this government, and the president of the council, and speaker of the assembly of this island for the time being, shall have full power and authority to draw upon the honourable the Lords Commissioners of His Majesty's Treasury for the full amount of the sum of ten thousand pounds, sterling money of Great Britain, by one set of bills of exchange, to consist of three parts, and made payable ninety days after sight to the order of the honourable Samuel Warner and the honourable Henry Hodge, Thomas Coull, Thomas Rogers, Samuel Lightburn Darrell, Richard Wesston Nanton and Thomas Franklin Nibbs, esquires, being a joint committee of the council and assembly of this island, hereby appointed for the purposes hereinafter particularly mentioned and set forth, who are hereby accordingly authorized and required to receive the said bill, and to remit the same with all convenient speed to some responsible mercantile house in Great Britain, with directions and instructions to such mercantile house to hold the money arising therefrom, (in the event of the said bill being accepted,) to the order of the said joint committee, and that the same be by such joint committee paid, applied and disposed of in manner hereinafter particularly mentioned and set forth.

And be it and it is also further enacted and ordained, by the authority aforesaid, that the said joint committee, or any five or more of them, shall and they are hereby authorized and required, with, from, and out of the said sum of ten thousand pounds, to purchase in this and all and every of the other islands in this government or in its vicinity, all and every such species of food and provisions as they shall think necessary and proper for the support of slaves, and in such quantities and at such prices as they shall think most conducive for the proper and speedy relief and supply of the island; and that for the greater convenience of making such purchases, the said committee be authorized and required to draw bills of exchange, not exceeding the said sum of ten thousand pounds sterling hereinbefore mentioned, in their own names, for such smaller sums of money as shall from time to time be found necessary to enable them so to do, on any such mercantile house to which the said bill of ten thousand pounds may have been by them remitted, payable at ninety days sight, in favour of any person or persons with whom they may contract for the purchase of any such provisions, or who may be disposed to advance the amount of such bills of exchange respectively in ready money to the said joint committee, to be by them applied for such purpose.

And be it also further enacted, by the authority aforesaid, that the said joint committee shall provide proper stores and warehouses in the town of Saint John for receiving all such provisions as shall be by them purchased by virtue of this act, and shall be authorized and empowered to employ some proper person or persons to act as their clerks or agents in transacting such business as may be required to be performed under their immediate superintendence and direction, and that such joint committee be allowed to retain to and reimburse to themselves, out of the monies in their hands, all expenses attending the execution of the several duties required of them by this act.

And be it also further enacted and ordained, by the authority aforesaid, that the provisions so to be purchased by the said joint committee shall be by them sold and delivered to each and every proprietor or proprietors of slaves, or his or their attorney or representative only, who shall hereafter apply to them for relief under this act, and who shall be able to prove on oath, to the satisfaction of the said joint committee, that he, she or they is or are wholly incapable of supplying the slaves in his, her or their possession with proper and necessary food and provisions from any other resources in his, her or their power, and that such provisions are not intended by him, her or them respectively, to be applied or disposed of in any other manner than for the immediate subsistence of their slaves respectively; on which, proof being made as aforesaid, the said joint committee are hereby authorized and empowered to issue to such applicants respectively from time to time, so long as they shall be in funds for such purpose, such quantity of provisions as they the said joint committee shall in their discretion think adequate for the immediate subsistence of the number of slaves in the possession of the said parties respectively; provided always nevertheless, that the said joint committee, in selling and delivering any such provisions, do in all cases strictly adhere to the regulations contained in the act of the general council and general assembly of the Leeward Islands, commonly called the Amelioration Act, so as to secure the repayment thereof to them of the price from the said purchasers respectively, by a prior lien on the slaves for whose use such provisions have been supplied; and provided also, that the said parties be not made chargeable for any greater price or prices for the said commodities, than what may be sufficient to cover the original cost thereof, with the subsequent expenses arising on the purchase, storing and sale thereof, except only as is hereinafter provided.

And be it and it is further enacted, by the authority aforesaid, that in order to secure the repayment to the said joint committee, by the purchasers of such provisions, of the several sums of money due from them respectively, each and every proprietor of slaves, who shall at any time hereafter obtain relief under this act, shall be, and they and each and every of them is and are hereby respectively and peremptorily required and made liable, from and out of the first sugar or other produce to be made and produced on their estates respectively, to pay over to the said joint committee on or before the first day of May next ensuing the date of this act, such quantity of sugar or other produce, as at the then existing valuation thereof shall be deemed sufficient by the said joint committee to cover the value of the quantity of provisions supplied to them respectively in manner aforesaid; and if any such proprietor or proprietors of slaves, or his or their attorney or representative, shall refuse or neglect to pay over such sugar or other produce at the time and on the terms hereinbefore appointed, the said joint committee are hereby authorized and directed to issue a warrant under their hands and seals, signed by any five or more of the said committee, directed to the deputy provost-marshal of the said island, to levy the amount thereof on the slaves of such defaulter or defaulters respectively; and the said deputy provost-marshal is hereby accordingly required to execute such warrant under a penalty of two hundred pounds current gold and silver money of said island; and all and every such slaves so to be levied upon by the said deputy provost-marshal shall respectively be sold at public auction to the best bidder, for ready gold and silver money, as soon as may be conveniently done, after the expiration of ten days from the time of making such levy, five days notice of such sale thereof being first given by the said deputy provost-marshal; and if any overplus shall remain in the hands of the said deputy provost-marshal after such sale, the same, after deducting the expenses and costs of such levy, to be paid over to the person by law entitled thereto; provided always, that nothing herein contained shall be construed to prevent any proprietor of slaves, if he, she or they can effect such payment, from paying the amount due by him, her or them for the supply of such provisions, in money or bills of exchange, to be approved by the said joint committee.

And be it further enacted, by the authority aforesaid, that if any proprietor or proprietors of slaves, to whom or for the use of the slaves of whom any provisions shall be supplied under this act, or his, her or their attorney or known agent or servant, shall sell, give away, exchange or otherwise apply and dispose of the said provisions or any part thereof, except only for and towards the absolute supply and relief of his, her or their slaves respectively, then and in such case the person or persons so offending shall for every such offence forfeit and pay the sum of five hundred pounds current gold and silver money of this island, to be recovered by bill, plaint or other information in any court of record in this island; and if such fine shall not be paid during the sitting of the court wherein such offence shall be prosecuted, such offender or offenders shall suffer one year's imprisonment, without bail or mainprize, in lieu of the said fine.

And be it further enacted, by the authority aforesaid, that in the event of the loan hereby required being obtained from His Majesty's government, all monies and produce collected and received from all or any proprietor or proprietors of slaves, obtaining relief under this act by the purchase of provisions in the manner and on the conditions hereinbefore mentioned from the said joint committee, shall be and are hereby made and declared to be a fund in the hands of such joint committee for discharging and paying the said sum of ten thousand pounds, to be borrowed from His Majesty's government as aforesaid on or before the first day of May next ensuing the date of this act; and which said monies and produce the said joint committee are hereby accordingly directed and required, as soon as possible after the said first day of May next, to remit in the best manner in which such remittances can be effected, to such mercantile house to whom the said bill of exchange for ten thousand pounds shall have been originally remitted by the said joint committee, to be held by such mercantile house payable to the order of the honourable the lords commissioners of the treasury, or their agents properly authorized to receive the same, to the amount of the full sum paid by the said lords commissioners or their agents, and all interest accruing thereon, and of all expenses incident thereto.

And be it further enacted, by the authority aforesaid, that in case it shall so happen that the lords commissioners of His Majesty's treasury shall decline to advance the sum of money so urgently required for the purposes mentioned in this act, and refuse payment of the said bill of ten thousand pounds, so to be drawn on them by his Excellency the Captain General and the President and Speaker of this island, and by reason of such refusal the several bills of exchange hereinbefore directed to be drawn by the said joint committee of both houses of legislature on the mercantile house to whom such bill may be by them remitted, to the amount of the said sum of ten thousand pounds, shall be returned protested, then and in such event all the said monies and produce so to be collected and raised by the said joint committee from all or any proprietor or proprietors of slaves obtaining relief by the purchase of provisions under this act, shall be and they are hereby declared to be a fund in the hands of such joint committee for the purpose of discharging all such sum or sums of money as shall be due to the holders of all or any bill or bills of exchange, so to be drawn by the said joint committee, and returned under protest as aforesaid, together with damages, interest, and all incidental costs and charges thereon, according to the usage and custom of merchants; and the said joint committee are hereby accordingly directed and required, on the first day of May next ensuing, or as soon after as possible, to take up all and every such bill or bills of exchange from the respective holders thereof, by payment of the full amount thereof, with interest and damages, in produce, at a fair valuation thereof, according to the then existing ready money price to be obtained for such produce; but in case the holder or holders of any such bill or bills of exchange shall refuse or decline to receive such produce at a fair valuation thereof, that then the said joint committee shall proceed to remit the same to the said mercantile house by them originally fixed upon, conditioned for the payment of such bills of exchange as may be by them drawn in favour of any such person or persons so refusing or declining to receive the said produce, with bills of lading of such produce to be annexed to such bills of exchange, so to be drawn respectively, in order to secure the due payment thereof to the respective holders thereof.

And be it further enacted and ordained, by the authority aforesaid, that if it shall so happen that from any inevitable misfortune or accident, occasioned by hurricane, earthquake, or other contingencies arising from the act of God, the produce to be made in the ensuing year on the estate or estates of any proprietor or proprietors of slaves, who may obtain relief under this act by the purchase of provisions for the supply of their slaves respectively, shall prove insufficient and inadequate for the payment to the said joint committee of the full amount due by him, her or them respectively, for the purchase of such provisions, or any part thereof, then and in such case, and not otherwise, in order that a sufficient fund may be at once provided to enable the said joint committee to pay off on the first day of May next ensuing, or as soon after as possible, the amount of the loan to His Majesty's government, if the same shall be obtained; or to take up any bill or bills of exchange, to be by them drawn on any mercantile house in manner aforesaid, and which may be returned protested in case such loan shall be denied, according to the provisions hereinbefore made for such purpose, a tax shall be and is hereby directed to be generally imposed on all owners and possessors of slaves in this island, not exceeding the sum of eighteen shillings for each slave, to be determined and assessed by the said joint committee, as circumstances shall require and render the same necessary, in manner hereinafter mentioned.

And be it further enacted, by the authority aforesaid, that in order to enable them to ascertain and fix to what extent the said tax hereby imposed, or any part thereof may be rendered necessary, the said joint committee hereby appointed shall proceed on or before the first day of April next ensuing the publication of the act, to call upon each and every proprietor of slaves obtaining relief under this act, and indebted to them for the purchase of provisions in manner aforesaid, to appear before them and state on oath the quantity of sugar or other produce at that time actually made and produced on his, her or their estate respectively, and the probable future expectations for the then existing crop; and if on such investigation it shall appear that any deficiency will be required to be supplied by general contribution, that then the said joint committee shall assess the amount necessary to be paid by every proprietor of slaves in this island, and give public notice in the several newspapers of the amount of such tax, and requiring all and every owners and possessors of slaves respectively, to pay the same on or before the said first day of May next into the hands of such joint committee for the purposes of this act; and if any such owner or owners, possessor or possessors of slaves shall neglect or refuse to pay such tax, so assessed by the said joint committee, within the time herein limited for the payment thereof, that then the amount thereof shall be recovered by warrant under the hands and seals of the said joint committee, directed to the deputy provost-marshal of this island, in the same manner as hereinbefore directed in case of default in payment of the amount due by persons obtaining relief by the purchase of provisions under this act.

And be it further enacted and ordained, by the authority aforesaid, that all and every sum or sums of money which shall remain due and unpaid from any purchaser or purchasers of provisions under this act to the said joint committee on the first day of May next, by reason of the insufficiency of the produce made on their estates respectively, occasioned by the circumstances hereinbefore mentioned, and not otherwise, shall continue to be and remain charged and chargeable on the slaves of each and every such proprietor or proprietors, as a prior lien thereon to any other debt or incumbrance whatsoever due to any subject, and shall be payable to and recoverable by the said joint committee from and out of the ensuing crops of the estates of each and every such proprietor or proprietors respectively, in the same manner as is hereinbefore already provided for the receipt and recovery of the payments directed to be made on the first day of May next; and the said joint committee are hereby therefore directed and required to receive and recover the same, and to pay, apply and dispose of all monies and produce to be by them so collected and received, for and towards the reimbursement to each and every proprietor of slaves, (who shall not have sought or obtained relief under this act, and shall have been compelled to pay the tax hereby generally imposed on slaves,) of all and every sum or sums of money so paid by him, her or them respectively, each and every proprietor of slaves so situated being hereby declared to be a public creditor to the amount which may be by him, her or them actually contributed for the general relief of the colony.

Antigua.

And be it further enacted and ordained, by the authority aforesaid, that inasmuch as it is the intention of this act that all monies advanced or expended for the immediate relief of the slave population by the said joint committee, shall be fully repaid to them by each and every proprietor of slaves obtaining the benefit of the provisions hereby directed to be purchased and supplied to them, the said joint committee are hereby authorized and empowered, in addition to the original cost of the articles as hereinbefore directed to be charged to such proprietors respectively, to require from each and every of them, according to the amount of their respective debts, the payment of a full share and proportion of all interest, damages, and expenses which may arise or accrue to the said joint committee on the negotiation by them of the said bill of exchange of ten thousand pounds, so to be drawn on the lords commissioners of the treasury by the captain general, president and speaker of this island, or any other smaller bill or bills of exchange to be drawn by the said joint committee, or any mercantile house in Great Britain, to the amount of ten thousand pounds, and invested in the purchase of provisions in the manner and for the purposes hereinbefore stated and set forth; which said additional charge shall be recoverable by the said joint committee in the same manner as is hereinbefore directed in case of default of payment of the original cost of the provisions supplied to such persons respectively.

Dated at Antigua, the seventeenth day of September, in the year of our Lord one thousand eight hundred and twenty-two, and in the third year of His Majesty's reign.
(signed) *Nicholas Nugent*, Speaker.

Passed the Assembly the twelfth day of September, one thousand eight hundred and twenty-two.
(signed) *Nathaniel Humphrys*, Clerk of Assembly.

Passed the Council the twelfth day of September, one thousand eight hundred and twenty-two.
(signed) *Thomas Shirley Warner*, Acting Secretary, &c.

(signed) B. D'URBAN, (L. S.)

Duly published this eighteenth day of September, one thousand eight hundred and twenty-two.
(signed) *R. L. Nanton*, D. P. Marshal.

Certified to be faithfully extracted from the book of acts.
(signed) *Thomas Shirley Warner*, Acting Sec. &c.

BARBADOES.

Baradoes

N° 3.—*AN ACT for the better Prevention of the Practice of Obeah.*

Preamble.

WHEREAS it is expedient to prevent the evils and offences which arise from the wicked arts and pretensions of persons going under the appellation of Obeah men and woman: And whereas the provisions now by law made for the prevention of such evils and offences have been found ineffectual for that purpose;

Clause 1.

Be it therefore enacted by his Excellency the right honourable Stapleton Lord Combermere, Knight Grand Cross of the most honourable Military Order of the Bath, and of the Portuguese Royal Military Order of the Tower and Sword, His Majesty's Captain-general and Governor-in-chief of this island, Chancellor, Ordinary and Vice-admiral of the same, the honourable the Members of His Majesty's Council, and the General Assembly of this island, and by the authority of the same, that from and after the passing of this act any person who shall wilfully, maliciously and unlawfully pretend to any magical and supernatural charm or power, in order to promote the purposes of insurrection or rebellion of the slaves within this island, or to injure and affect the life or health of any other person, or who wilfully and maliciously shall use or carry on the wicked and unlawful practice of obeah, shall upon conviction thereof suffer death or transportation, as the court by which the said offender may be tried shall think proper, any thing in this or any other act of this island to the contrary in anywise notwithstanding.

Any person maliciously pretending to any supernatural charm, so as to promote insurrection of the slaves, or affect the life of any other person, or who wilfully practises obeah, shall suffer death or transportation

Clause 2.

Any person in the practice of obeah who

And be it further enacted, by the authority aforesaid, that from and after the passing of this act, if any person wilfully and maliciously in the practice of obeah, or shall mix or prepare, or have in possession any destructive substance, with intent either to administer or have it administered to any person, though death may not ensue, such person, with their aiders, &c. being privy to such evil intentions, shall suffer death, &c.

or otherwise, shall mix or prepare or have in his or her possession any poison, or any noxious or destructive substance or thing, with an intent to administer to any person (whether the said person be white or black, or a person of colour,) or wilfully and maliciously shall actually administer to, or cause to be administered to, or taken by any such person as aforesaid, any poison, or any noxious or destructive substance or thing whatsoever, although death may not ensue upon the testimony thereof, every such person, together with his or her counsellors, aiders and abettors, knowing of and being privy to such evil intentions and offences, shall, upon conviction thereof, suffer death, transportation, or such other punishment as the court by which such offender may be tried shall think proper, any thing in this or any other act of this island to the contrary in anywise notwithstanding.

Clause 3.
Repeals the act for the punishment of slaves found practising obeah.

And be further enacted, by the authority aforesaid, that from and immediately after the passing of this act, the act intituled, "An Act for the punishment of "Slaves found practising Obeah shall be and the same is hereby repealed and "made void to all intents and purposes."

Passed the 28th July 1818.

Read three times, and passed the Council unanimously, this twenty-eighth day of July one thousand eight hundred and eighteen.
W. Husbands,
Dy Clerk of the Council.

Combermere.

Read three times, and passed the General Assembly *nem. con.* this thirtieth day of June one thousand eight hundred and eighteen.
Jno W^m Edw^d Elder,
Act^g Clerk of the Gen^l Assembly.

Assented to by his Excellency the Governor, on the 28th day of July 1818.
W^m Husbands, D^y Sec^y.

A true copy from the Secretary's office, attested this 2d day of March 1819.
W^m Husbands, D^y Sec^y.

BARBADOES.

N° 4.—*AN ACT to repeal and amend certain Acts made for the government and protection of Slaves.*

Preamble.

WHEREAS certain parts of the acts of this island passed for the governing of slaves have long since been and are now wholly and altogether obsolete, and of no force and effect; but whereas by reason of the many false accusations and wicked contrivances made and used by certain evil-disposed persons against the character and well-being of the British settlements in the West Indies, it is expedient to repeal by a positive enactment such parts of the said acts and statutes; be it therefore enacted, by his Excellency the right honourable Stapleton Lord Combermere, Knight Grand Cross of the most honourable Military Order of the Bath, and of the Portuguese Royal Military Order of the Tower and Sword, His Majesty's Captain-general and Governor-in-chief of this island, Chancellor, Ordinary and Vice-admiral of the same, the honourable the Members of His Majesty's Council, and the General Assembly of this island, and by the authority of the same, that the fifth clause of a certain act or statute of this island, intituled, "An Act for the governing of Negroes," being number thirty-two in Hall's Laws of Barbadoes, be and the same is hereby repealed and made void.

Clause 1.
Repeals the fifth clause of N° 32, Hall's laws.

Clause 2.
Repeals N° 92, Hall's laws.

And be it further enacted, by the authority aforesaid, that an act or statute of this island, intituled, "An additional Act to an Act, intituled, 'An Act for the "governing of Negroes,'" and which is mentioned as number ninety-two in Hall's Laws of Barbadoes, shall be and the same is hereby repealed.

Clause 3.
Declares null and void the act herein mentioned.

And whereas doubts have arisen respecting the true construction, intent and meaning of a certain act which passed in the year one thousand eight hundred and five, and intituled, "An Act for the better protection of the Slaves of this Island;" be it therefore enacted, by the authority aforesaid, that the said act shall and the same is hereby declared to be null and void.

Clause 4.
Any person who shall wilfully kill and murder a slave, either his own property or that of another, and

And be it further enacted, by the authority aforesaid, that if any person shall hereafter wilfully and maliciously kill and murder any slave, whether such slave be the property of the person so killing and murdering, or of any other person, such person so killing and murdering, being duly convicted thereof by the evidence of one or more competent witness or witnesses, at a court of grand sessions, shall suffer death without benefit of clergy; provided nevertheless, that any person so convicted of such murder of a slave shall not thereby forfeit his lands, negroes, goods or chattels, any law to the contrary in anywise notwithstanding.

being duly convicted by sufficient evidence, shall suffer death,

proviso, that thereby he shall not forfeit his lands, &c

Passed 29th July 1818.

Read three times, and passed the Council unanimously, the twenty-eighth day of July one thousand eight hundred and eighteen.
Wm Husbands,
D. Clerk of the Council.

Combermere.

Read three times, and passed the General Assembly *nemine contradicente*, this twenty-eighth day of July one thousand eight hundred and eighteen.
Jno Wm Edwd Elder,
Acting Clerk of the General Assembly.

Assented to by his Excellency the Governor, on the 29th day of July 1818.
Wm Husbands, D. Secretary.

A true copy from the Secretary's Office, attested this 2d day of March 1819.
Wm Husbands, D. Secretary.

BAHAMA ISLANDS.

No 5.—*AN ACT to extend certain Privileges of Persons of Free Condition within these Islands.*

Preamble.

WHEREAS by the fifth clause of the act passed in the twenty-fourth year of the reign of his late Majesty King George the Third, intituled, "An Act for governing "Negroes, Mulattoes, Mustees and Indians, and for suspending several Acts "therein mentioned;" it is enacted, that the oath of free negroes, mulattoes, mustees or indians, shall not be good or valid in law against any white person, excepting in matters of debt: And whereas it is deemed expedient and necessary, that such persons should be made competent witnesses in all civil causes or suits whatsoever; May it therefore please Your Majesty, that it may be enacted, and be it enacted by his Excellency Lewis Grant, esquire, Major-general of Your Majesty's forces, Captain-general and Governor-in-chief of the Council and Assembly of the said islands, and it is hereby enacted and ordained by the authority of the same, that from and after the passing of this act all and every negro and negroes, mulatto and mulattoes, indian and indians, and all and every other person and persons of colour born in these islands, and being of free condition by birth, or by manumission under and by virtue of any deed or will, or other instrument in writing, duly recorded in the office of the secretary and register of records for these islands, or under and by virtue of any verdict and judgment obtained and given by the general court of these islands, in pursuance of an act of the General Assembly of the said islands, made and passed in the forty-fifth year of his late Majesty's reign, intituled, "An Act for fixing the mode of trying questions relative to the "freedom of Negroes, and other persons of colour, and for suspending certain Acts "therein mentioned," and who shall have been baptized and instructed in the principles of the Christian religion, shall and lawfully may be admitted and received to give evidence for or against white persons in any civil cause or suit whatsoever, which may after the passing of this act be instituted and prosecuted in any of the courts of law or equity in these islands; provided always, that no such negro, mulatto, indian, or other person of colour, shall be deemed or taken to be competent to give evidence under and by virtue of this act, unless such person shall have been baptized into the Christian religion, and shall have been free at least three years previous to the time of such person being produced to give evidence, and unless such person shall at such time produce a certificate of his or her baptism, duly and regularly authenticated by the minister of the parish in which such person shall have been so baptized, or by the churchwardens thereof in case of the death or absence of such minister; and provided also, that no such negro, mulatto, indian, or other person of colour, being of free condition by manumission as aforesaid, or by verdict and judgment obtained and given in the said general court as aforesaid, shall be admitted to give evidence under this act, unless he or she shall have been so manumitted, or declared free previous to the commission or existence of the fact respecting which he or she shall be produced to give his or her evidence; and any negro, mulatto, indian, or other person of colour as aforesaid, who shall at any time have been a slave, or have been used and considered

Proviso.

Bahamas.

as such, and who shall have obtained freedom by manumission, will or the like, or by judgment of a competent tribunal, shall not be held or considered as having been free within the meaning of or for any of the purposes contemplated by this act, until after such manumission, will or the like shall have been actually recorded, or judgment regularly entered up as aforesaid, neither shall any baptism which shall take place within three years immediately previous to the production of any such witness as aforesaid be a sufficient qualification within the meaning of this act.

II. And be it further enacted, by the authority aforesaid, that after the passing of this act the secretary and register of records of these islands shall record in a separate book or books, all manumissions by deed, will or other instrument in writing produced to him for that purpose, provided the execution thereof shall have been first proved according to law; and after such registry, the said register shall and is hereby required to grant a certificate or certificates to any person or persons requiring the same of any manumission or manumissions having been registered and recorded in his office, in which certificate or certificates he shall state the name of the manumission and the date of the manumission, and whether the manumission was by will, deed or other instrument in writing, and he shall also state therein the day when such manumission was lodged to be recorded, and such certificate shall be deemed, taken and received as good evidence of the manumission of the person or persons therein mentioned to be manumitted, unless it can be proved that such manumission was a forgery, or obtained by fraud or other undue means.

III. And be it further enacted, by the authority aforesaid, that any negro, mulatto or other person of colour, born within His Majesty's dominions (the settlements in Africa excepted) who may be permitted to settle within these islands, and who shall have produced and recorded in the secretary's office a certificate of his or her birth and freedom under the public seal of the government in which they were born or made free, and who shall have actually resided five years within these islands after the date of such record, shall be entitled to the same privileges extended by this act to like persons born within these islands, and under the same restrictions and limitations hereinbefore provided concerning the same.

IV. And be it further enacted, by the authority aforesaid, that if any negro, mulatto, indian or other person of colour, of free condition, shall in any civil cause or suit as aforesaid, whenever he or she shall give his or her testimony, commit wilful and corrupt perjury, such negro, mulatto, indian or other person of colour, shall on conviction thereof suffer such punishment as may be inflicted according to the laws and statutes of Great Britain, in force within these islands, in such case made and provided.

Passed the House of Assembly, December 11th, 1821.
L' Kerr, Speaker.

Passed the Legislative Council, 18th December 1821.
Wm Vesey Munnings, President.

Assented to the 23d day of January 1822.
Lewis Grant.

A true copy from the original act.
C. R. Nesbitt, Dep. Sec.

BAHAMAS.

N° 6.—*AN ACT to amend an Act, intituled, "An Act to establish a Triennial "Registration of Slaves in the Bahama Islands."*

Bahamas.

Intermediate registration of slaves born, &c between triennial returns may be made at the discretion of the owner.

WHEREAS it is expedient that an act passed in the second year of His Majesty's reign, intituled, "An Act to establish a Triennial Registration of Slaves in "the Bahama Islands," should be amended; be it enacted by his Excellency Lewis Grant, esquire, Major-general of His Majesty's forces, Captain-general and Governor-in-chief in and over these islands, the Council and Assembly in and for the same; and it is hereby enacted by the authority of the same, that in case of the birth of any slave or slaves within these islands, or of the arrival in or importation into the same of any slave or slaves, between any two of the triennial returns provided for by the act to which this act is an amendment, all such slaves so born or arriving in or imported in the islands may, at the discretion of the owner of such slave or slaves, or

Bahamas.

or others having charge or possession of the same, be registered in the office of the register of slaves at any time previous to the then next ensuing general registration of slaves, any thing contained in the said act to which this act is an amendment to the contrary notwithstanding; and all returns of slaves in virtue of this act as aforesaid shall be made and received, and by the register registered according to the form as nearly as may be of the schedule marked (A.) annexed to the said act to which this act is an amendment, and under the same liabilities, pains and penalties provided in and by the said hereby amended act in the case of false returns and of wilful and corrupt perjury in making such false returns, knowing them to be such.

Duty of register in receipt of returns.

And be it further enacted, by the authority aforesaid, that this act shall be and continue in force for and during the continuance of the act to which this act is an amendment, and no longer.

Passed 28th January 1823.

BERMUDA.

No. 7.—AN ACT for increasing the number of Clergymen within these Islands.

Bermuda.

WHEREAS it is deemed expedient to divide the eight parishes westward of the Public Ferry into four livings as soon as circumstances shall admit thereof; and in order to enable the said parishes to support four clergymen for the said four livings, to grant some aid from the public treasury of these islands: We therefore Your Majesty's most dutiful and loyal subjects, the General Assembly of these Your Majesty's Bermuda or Somers' Islands, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by Your Majesty's Governor and Commander-in-chief, Council and Assembly, and it is hereby enacted by the authority of the same, that upon a vacancy taking place in the living at present composed of the parishes of Pembroke, Devonshire, Smith and Hamilton, by the death of the incumbent, resignation or otherwise, the said parishes of Pembroke and Devonshire, together with the glebe, parsonage-house, school-house and appurtenances, situate in the said parish of Pembroke, shall constitute one living; and the said parishes of Smith and Hamilton, together with the annual interest, profits or issues payable by law for the glebe, situate in the parish of Hamilton, and which has been sold in fee-simple conditional under and by virtue of an act of the legislature, shall constitute another living; and that upon any vacancy taking place in the living at present composed of the parishes of Paget, Warwick, Southampton and Sandy's, by the death of the incumbent, resignation or otherwise, the said parishes of Paget and Warwick, together with the annual interest, profits or issues payable by law for the glebe, situate in the said parish of Paget, and which has been sold in fee-simple conditional under and by virtue of an act of the legislature, shall constitute one living; and that the said parishes of Southampton and Sandy's, together with the glebe, parsonage-house and appurtenances, situate in the said parishes of Southampton and Sandy's, shall constitute another living.

And be it further enacted, by the authority aforesaid, that for each of the said four livings there shall be one incumbent or rector, regularly educated for the church of England, who shall reside either on the glebe appropriated to the living, or where there is no glebe at some place as nearly central between the two parishes, composing the living, as he can be accommodated with a suitable house; and that it shall be the duty of such rector or incumbent to perform service and the usual duties on every Sunday, alternately in the forenoon and afternoon, in the parish church of each of the said parishes composing his living.

And be it further enacted, by the authority aforesaid, that there be allowed annually out of the public treasury of these islands, in aid of the parishes composing the livings aforesaid, the stipends or sums of money following, to wit, to the rector of the parishes of Pembroke and Devonshire the sum of two hundred pounds, to the rector of the parishes of Smith and Hamilton the sum of two hundred pounds, to the rector of the parishes of Paget and Warwick the sum of two hundred pounds, and to the rector of the parishes of Southampton and Sandy's the sum of two hundred pounds; and that the said stipends be annually paid out of any unappropriated monies in the public treasury, for and during the residence of the said rectors as by this act prescribed, and the performance of the duties respectively within their livings, on certificates thereof being produced from the vestries of the parishes respectively composing their livings.

Bermuda.

And be it further enacted, by the authority aforesaid, that when and as often as the inhabitants and freeholders of any of the above mentioned parishes, assembled in full parish meeting in consequence of proper notice for that purpose to be given, shall by vote freely and voluntarily fix on the incumbent of such parishes, during his continuance to hold the living within the same, an annual sum of money, in addition to the stipends by this act fixed and allowed, (and such vote shall be entered on the parish records, together with the terms and conditions, if any, whereon the same shall be granted,) it shall and may be lawful for the vestry or assessors of such parishes to provide for and enforce the payment of such additional salary, in the like manner with other parochial charges.

And be it further enacted, by the authority aforesaid, that the sums hereby fixed and allowed the respective incumbents by this act contemplated, together with such additional sum as may from time to time be allowed by the parishes respectively, shall be as and for and in lieu of all and every other sum of money directed to be paid the incumbents of any of the said parishes out of the public treasury, or to be raised for them by assessments in the said several parishes by the act intituled " An Act for settling a yearly Revenue upon the Ministers of these Islands," or by any other act in the like case made and provided.

And be it further enacted, by the authority aforesaid, that this act be in force for and during the term of thirty years, and no longer.

Passed the Assembly this 11th day of March 1820.
By order of the House,
John Noble Harvey, Speaker.

Concurred to by the Legislative Council the 16th day of March 1820.
Robert Kennedy, President ad interim.

Assented to this 17th day of March 1820.
William Lumley.

CAPE OF GOOD HOPE.

N° 8.—*A PROCLAMATION issued by Lord Charles Henry Somerset, for religious Instruction and treatment of Slaves.*

Cape of Good Hope

Proclamation by his Excellency the Right honourable General Lord Charles Henry Somerset, one of His Majesty's most honourable Privy Council, Colonel of His Majesty's 1st West India Regiment, Governor and Commander-in-chief of His Majesty's Castle, Town and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-admiral of the same, Commander of the Forces, &c. &c. &c.

WHEREAS I having taken into consideration the happy increase of the means of religious instruction, and the opportunities for religious worship which have been established in this settlement, and the benefit which is resulting therefrom to the community at large; and being confident that there exists but one feeling in the breasts of the inhabitants, that it is the bounden duty of every true Christian to civilize the lower classes, and to ameliorate their condition as far as may be consistent with the security of the state, and with a due consideration to the rights and privileges of all; and whereas it must be evident to every well-disposed and religious person, that the propagation of Christianity amongst slaves will tend, beyond any other measure, to promote morality amongst them, and to improve their condition and conduct,—do (under a sanguine hope that the following regulations may conduce to those desirable objects, and to the removing of any existing evils) hereby proclaim and order, that,

1st. Sunday being commanded in all Christian states to be a day of rest, it is hereby forbidden and declared illegal to compel a slave to perform field labour on the Sabbath day, or any other work, but such as is ordinarily considered work of necessity; complaint in such case to be made to the local authority, who is hereby empowered to exact a penalty for every such offence, if proved, not exceeding 50 rds. nor less than 10 rds.

Cape of Good Hope.

2d. Slave proprietors who have caused their slave children to be baptized in the Christian religion shall, as far as relates to such slaves, be exempt from any tax which has been imposed on slaves in this colony.

3d. The manumission of a slave who has embraced the Christian religion shall not be subject to the customary payment of 50 rds. to the reformed church; but such slave shall, nevertheless, be entitled (the same as other members of the church) to support from the vestry, under the usual regulations and conditions.

4th. Christian slave proprietors residing in Cape Town, and other towns and villages, and their immediate vicinity, where free schools are or may be established, are, after the 1st day of June next, to send their slave children above three years, and under ten years of age, at least three days in each week to the established free school nearest to their dwelling; and those whose residence will not permit them to afford this consoling advantage to their slave children, are anxiously invited to avail themselves of any means which may offer for giving them instruction.

5th. Slaves who have been baptized, and who are not within the prohibited degrees of consanguinity, may intermarry, with their proprietors (or respective proprietors) consent had in writing, and delivered to the local authority; and the children of such marriages shall be the property of the proprietor of the mother. The same shall hold good with regard to slaves of either sex, intermarrying with free persons; in which case also, when the wife is a slave, the children of such marriage belong to her proprietor.

6th. The consent, in writing, of the proprietor or respective proprietors, (as the case may be,) transmitted to the clergyman through the local authority, shall supersede the necessity of being asked in the church, or of appearing before the matrimonial court, to legalize the marriages of slaves; and the respecive local authorities shall be responsible that all marriages between slaves are without delay enregistered as all other marriages are, and that a notification of the marriage be made to the general or district office (as the case may be) established for the enregisterment of slaves.

Slave marriages shall be celebrated in the church on Sundays, where the locality will permit; and in other cases, the clergyman will, once in twelve months, appoint the most convenient places in their respecive districts for the purpose of marrying slaves and baptizing children, so as to remove the inconvenience arising from remote habitations, which marriages it shall be lawful for the clergyman to perform upon receiving the written consent of the proprietors, through the local authority, as above directed. The marriages of slaves, and the baptism of their children, shall be performed without fee or reward.

7th. After the celebration of marriages, it is forbidden for the parties to be sold separately, or the children of such marriages without the parents, (or the survivor of them,) until such children shall have attained the age of ten years, except under a decree of the court of justice.

8th. Children not born in wedlock of a slave woman, who has embraced the Christian religion, and has been baptized, shall not be sold from their mother, unless they shall have fully attained their ninth year; neither shall such Christian female slaves, so baptized, be sold, without selling to the same person any child she may have under the age of nine years, except under a decree of the court of justice.

9th. The regulations prescribed in the preceding clause, respecting children born of mothers who have embraced the Christian religion, and have been baptized, shall also be observed with regard to children born of slaves not of the Christian religion, and not having attained their eighth year, to whom the special care and attention of the mother must be considered indispensable; and all sales, not in conformity to the restrictions comprehended in this and the foregoing clauses, are hereby declared null and void.

10th. In order further to insure the observance of the preceding clauses, separate books shall be kept in the respective offices for the enregisterment of slaves, of all slave marriages, and of all slave children born in lawful wedlock, for which purpose owners shall report to that office, in their respective districts, the date and proof of baptism. Those who neglect causing the children of their Christian slaves, born in wedlock, to be baptized within twelve months after the birth of such children, shall incur a penalty of not less than 25 rds. and not exceeding 100 rds. for each offence, and shall be compelled to have such child or children baptized at their own expense.

11th. Slaves who have embraced the Christian religion, and have been incorporated in the church by baptism (although transferred or become the property of heathens) are not to be deprived of the right of attending at church, or place of

Christian worship on Sundays, under a penalty of 10 rds., to be paid by the proprietor, unless justifiable cause can be shown for such prevention.

12th. The evidence of a slave upon oath, after baptism, may be received by the constituted authorities or competent courts, the same as that of any other Christian.

13th. The property possessed by a slave, whether acquired by work in extra hours, (with the permission of the proprietor,) by donation, legacy, inheritance, or by any other honest means, is inherent in the slave, and in no event belongs to the proprietor, except in cases of suicide. In cases where differences may arise with respect to the property of a slave, or the means by which such property has been acquired, either party may bring the case under the cognizance of the local competent court. Every slave is entitled to dispose of his or her property, or other rights legally acquired, as well during life as by will at his or her demise, according to the laws of the colony; but in consideration of the peculiar circumstances which attach to this class of the community, it is here enacted, that if a slave die intestate, having no husband, wife or child (as the case may be,) the last declaration of the party, relative to the disposal of his or her property, if made before two credible witnesses of the age of twenty-five years or upwards, assembled for the purpose, who shall depose on oath to the truth of their statement, shall be considered valid and effectual for the disposal of his or her property, under the direction of the Orphan Chamber, provided such disposal be not in favour of either of the said two witnesses; and the Orphan Chamber shall make the disposal accordingly. In cases where intestate slaves have no relations, and make no declaration, or last will and testament, such as above described, as to the disposal of their property, the property shall be paid by the Orphan Chamber into a fund formed for the purchase of such female slave children, as shall have been at one of the established schools during a period of four years, and who shall be particularly recommended by the committee for their moral and exemplary conduct during that period.

The value of the female slaves, whose freedom is thus purchased, shall be fixed according to their actual value at that period by a commission of the court of justice, and such purchases shall be exempt from all taxes and charges ordinarily imposed upon the manumission of slaves.

This fund shall be placed under the direction of a board, consisting of his excellency the governor for the time being, the colonial secretary, the chief justice, the president of the Orphan Chamber, the colonial chaplain, and the senior ministers of the reformed and Lutheran churches, and such other person or persons as the governor for the time being shall be pleased to appoint, who are also empowered to receive all donations and legacies which may be made in aid of the objects of this fund. In the disposal of property left by slaves, the fees to which the Orphan Chamber shall be entitled, shall be on a scale of one-half only of the established fees of that institution.

14th. Every slave is to be daily supplied with sufficient and wholesome food; and in cases of dissatisfaction relating thereto, appeal may be made by either party to the local authority; and if deficiency or bad quality be proved, the proprietor or employer for the time being shall incur a penalty of 25 rds., and for a second offence a penalty of 50 rds., to be disposed of as hereinafter directed in clause 23.

If on the contrary, the complaint be proved to be unfounded or frivolous, the complainant may be proceeded against as hereinafter directed.

15th. Every slave is to be kept provided with good and sufficient clothing by the proprietor for the time being; and in case of dissatisfaction, appeal may be made under the same provisions and penalties, on either side, as stated in clause 14.

16th. Slaves employed in garden or field labour are not to be compelled to work more than 10 hours in each 24 hours, from the 1st April to the 30th September; nor more than 12 hours in 24 hours, from the 1st October to the 31st March inclusive; except during the ploughing or harvest seasons, or on extraordinary occasions, when a remuneration shall be made to them in money, or by an additional proportion of food, according to the discretion of the local magistrates, (if appealed to,) under a penalty not exceeding 50 rds., nor less than 10 rds.

17th. Proprietors or persons employed by them are not at liberty to inflict any punishment on a slave, beyond what may be considered a mild domestic correction; this correction is only to be given with rods, or other implements of domestic punishment, it is not to exceed 25 stripes, and is in no case to be repeated within 24 hours, nor until the delinquent shall have recovered from the effects of any former correction, under a penalty, in breach of any of the provisions of this clause, not exceeding 100 rds. nor less than 50 rds. for each offence.

18th. Should it be necessary for the security or safety of a family or individual to put a slave in irons, the same shall be reported within 24 hours to the local authority, under a penalty of 50 rds., stating the cause and circumstances under which such measure could be justified.

19th. Maltreatment of a slave by the proprietor, not attended with death, may be punished by fine, imprisonment, banishment, or other sentence of the law according to the nature of the case, and the degree of cruelty exercised, and the slave may be publicly sold for the account of the proprietor, but under special condition of never again coming into his power, or into that of his parents, children, brothers, or sisters; but when the maltreatment of a slave has been attended with death, it must be recollected, that the court, in giving judgment, will be guided by the law applicable to homicide.

20th. Maltreatment of a slave by the overseer, or representative of the proprietor, or other individual, shall be punished as if the same had been inflicted on a free person placed under the superintendence or direction of such overseer, or other representative of the proprietor. Domestic punishment is forbidden to be inflicted on a slave by any other hand than that of the proprietor, employer, or overseer (not being a slave,) except in cases where the proprietors or employers, having no free person in their employ, are females, or infirm, or suffering under disease, or are upwards of 60 years of age, under a penalty of 100 rds. nor less than 50 rds. to be paid for each offence by the person who has caused such illegal punishment to be inflicted.

21st. On the complaint of a slave to the local magistrate against the proprietor, or other individual, the magistrate shall take charge of the complaining slave, and inquire into the case forthwith; in order, should the complaint be well founded, to proceed against the person complained of in such manner as the law directs; but should the complaint prove groundless, the slave shall be condemned to such legal punishment as the nature of the case may require.

22d. The corpse of a slave shall not be interred, without permission being first obtained from the fiscal, landdrost, or field cornet, under whose immediate jurisdiction the employer, for the time being, resides, under a penalty of 50 rds.

23d. All penalties incurred under the provisions of any of the clauses in this proclamation shall be disposed of as follows: one-third to the informer, and two-thirds to the fund specified in Clause 13, for purchasing the freedom of female slave children of the free schools.

24th. It is clearly to be understod, that none of the provisions contained in the foregoing Clauses do, or will affect, in any degree, the property of the proprietors in their slaves, or their just claims to their services.

And that no person may plead ignorance hereof, this shall be published and affixed in the usual manner.

God save the King!

Given under my hand and seal, at the Cape of Good Hope, this 18th day of March 1823.

(signed) *C. H. Somerset.*

By command of His Excellency the Governor.

(signed) *C. Bird,*
Secretary.

DOMINICA.

Dominica.

N° 9.—*AN ACT for regulating the government and conduct of Slaves, and for their more effectual Protection, Encouragement, and the general melioration of their Condition.*

Preamble. WHEREAS it is expedient that the laws respecting the slave population of this island should be revised and amended, as far as is consistent with due order and subordination, and the welfare of the colony; We, therefore, Your Majesty's dutiful, loyal and obedient subjects, the Governor, Council and Assembly of this Your Majesty's island of Dominica, do humbly pray Your most excellent Majesty that it may be enacted and ordained;

Clause 1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that every owner, renter or director, or the attorney, agent or representative of such owner, renter or director of any slave or slaves, shall issue and distribute to him, her or them good and sufficient clothing once in every year; that is to say, a Pennistone or drugget jacket, a hat or cap, and Osnaburgs or Pennistone trowsers, with three yards of Osnaburgs to the male adults; a Pennistone or drugget wrapper, and an Osnaburg or Pennistone petticoat, and a hat, with three yards of Osnaburgs to female adults, and to children according to their size and age; and also a blanket to each adult, male and female, and one also to every two children once in every three years; and shall provide for them dry and comfortable lodgings; and in the cases of the sickness of any of the said slaves, the owner, renter or director of such slave or slaves, shall provide proper medical assistance and advice, and shall also provide for and furnish such slave with all such food, wine, nourishment, and with all and every such other necessary and necessaries of every kind, as the medical person whose assistance may be called in shall order or direct; and in case of failure of such owner, renter or director of such slave or slaves, or the attorney, agent or representative of such owner, renter or director of such slave or slaves, to issue such sufficient clothing, and provide comfortable lodging and medical assistance as aforesaid, such owner, renter or director of slaves, or his, her or their attorney, agent or representative, shall be deemed guilty of a misdemeanor, and be liable to be fined in any sum not exceeding fifty pounds, to be recovered by indictment in His Majesty's court of king's bench and grand sessions of the peace, one moiety of the fine so imposed to be paid to the informer, and the other into the public treasury for the benefits of the colony.

Preamble. And whereas slaves frequently sell the clothing and necessaries issued to them by their owners or employers, to their own personal detriment, and that of their owners;

Clause 2. Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that it shall not be lawful for any person or persons whomsoever to purchase any clothing or necessaries from any slave or slaves; and if any person or persons, either white or free or slaves, shall detain, buy or exchange, or otherwise receive of any slaves their clothing or necessaries so issued as aforesaid, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction by the oath of one or more credible witness, or witnesses before any two of His Majesty's justices of the peace, if a white or free person of colour, shall forfeit a sum not exceeding ten pounds, to be levied by warrant under the hands of such justices of the peace, by distress and sale of the goods and chattels of the offender, one moiety thereof to be paid to the informer, and the remainder into the treasury for the public uses of the colony; and if a slave, shall and may be punished by inflicting any number of lashes not exceeding thirty-nine.

Preamble. And whereas from the extensive quantities of land belonging to the respective plantations, and not occupied in the cultivation of the staple commodities of the island, and from the facility afforded to the slaves of raising provisions thereon, it has been found that by allotments of proper portions of ground, and time to work them, the provisions raised on such grounds are more advantageous to the slaves than any allowance of rations;

Clause 3. Be it, and it is hereby enacted, by the authority aforesaid, that every owner, renter or director, or the attorney, agent or other representative of such owner, renter or director, of any slave or slaves attached to plantations, shall and he is hereby required to allot to each and every such slave or slaves a sufficient portion of land, not less than half an acre for each slave of whatever age; and also allow one day in every week over and above Sundays and the holidays hereinafter prescribed, for the purpose of cultivating the said land in provisions, and to each child under ten years of age a sufficient quantity of good and wholesome food; and any owner, renter or director who shall neglect to allow to such slave or slaves such portion of land and time to work it as aforesaid, shall on conviction be fined in any sum not exceeding fifty pounds, to be sued for and recovered as is directed by the first clause of this act; provided always, that in cases where it may be absolutely necessary for the purpose of taking in the crops of sugar and coffee, to employ such slave or slaves at work on the days hereinbefore directed to be allowed for the cultivation of their grounds, the owner, renter or director of such slave or slaves so employed shall and he is hereby required to issue an allowance of salted or pickled fish, not less than two pounds for every adult, and half that quantity for every child under ten years of age, in lieu of such day; and provided also, that in all cases such slave or slaves shall be allowed at least twenty-six days in each and every year for the purposes aforesaid, over and above Sundays and the holidays hereinafter prescribed, under the penalty of any sum not exceeding fifty pounds for every neglect, to be sued for and recovered as is directed by the first clause of this act.

Clause 4. And be it enacted and ordained, by the authority aforesaid, that during the crop not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mill shall be put about or worked between the hours of seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of twenty pounds, to be recovered as aforesaid against the manager or other person having the charge of such slaves; and no store or shop shall be kept open during the time of divine service, under the penalty of ten pounds, to be recovered as aforesaid against the keeper of the same.

Preamble. And whereas a relaxation from labour on certain fasts and festivals, and indulgence in innocent recreations and amusements, are but reasonable and just;

Clause 5. Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that the slaves in this island (house servants, stock-keepers, watchmen and fishermen excepted,) shall not be required to labour for their masters or owners on any Sunday throughout the year, Christmas-day, and the day following, New Year's-day, and Good Friday; and in cases where any one of the said holidays fall on a Sunday, then the Wednesday following shall be allowed such slave or slaves in lieu of such Sunday.

Clause 6. And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that it may be permitted for any slave or slaves on any plantation or in any house of the said island, by and with consent and approbation of the said owner or renter, or the attorney, agent or representative of such owner or renter, on each and every estate and plantation of the said island, to use any instrument or instruments of music for the purpose of dancing, or in the indulgence of any innocent amusements; provided the said dancing or amusements do not continue after eight o'clock in the evening in the town of Roseau, nor beyond the hour appointed by the manager or overseer on plantations.

And whereas, on the different days allotted for holidays and times of recreation, slaves may become riotous and disorderly, from the absence of the managers, overseers or persons in charge of them; to prevent the mischief arising therefrom,

Clause 7. Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that any manager, not having an overseer under him, who shall absent himself from the plantation of which he has the charge on such holidays and festivals aforesaid (divine service and militia duty excepted,) shall forfeit the sum of five pounds; and any overseer who shall absent himself from the estate he lives on at such time (with the above exception only,) without the leave of his manager or employer, shall forfeit the sum of three pounds, such fine and forfeiture to be recovered and appropriated as prescribed by the first clause of this act.

Clause 8. And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that all owners and possessors, or in their absence the managers and overseers of slaves, shall as much as in them lies promote and encourage the religious instruction of all slaves belonging to them, or committed to their charge.

Preamble. And whereas, since the late distresses particularly, some instances have occurred of owners and renters of slaves permitting infirm, disabled and diseased slaves to wander at large as mendicants, to the great nuisance of the inhabitants of the towns and parishes;

Clause 9

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that no owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee or executor, or otherwise, shall discard or turn away any such slave or slaves on account or by reason of such slave or slaves being rendered incapable of labour through age, sickness or infirmity, or any other cause, but shall be, and he, she and they is and are hereby obliged to keep every and all such slave or slaves upon his, her or their properties, and provide them with proper necessaries as aforesaid, and not suffer them to wander about and become burthensome to others for sustenance, under the penalty of twenty pounds for every such offence; to be recovered in a summary manner, on complaint before any two justices of the peace for this island, who are hereby authorized, empowered and required to cause such master, owner or possessor, his, her or their attorney and agent, and such other persons as they shall judge proper, to be summoned before them to enable them to determine upon the propriety of such complaint.

Preamble.

And whereas instances have occurred of slaves afflicted with contagious disorders being allowed to wander about the streets of the towns, and public highways and bye-roads of the country;

Clause 10.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that any owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee or executor, or otherwise, who shall knowingly suffer any slave or slaves to leave the property to which they belong, and to wander about the country or in town, shall for each offence forfeit the sum of twenty pounds, to be recovered as prescribed by the ninth clause of this act.

And whereas it is just and proper that the slaves should be protected in their persons from the violence and inhumanity of such white persons or free persons of colour as may have no lawful authority over them, or who having, may exert such authority in an unjustifiable or cruel manner;

Clause 11.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that if any white person or persons, or free person or persons of colour whatever, shall be convicted of the wilful murder of any slave or slaves, or shall be accessary thereto, such white person or persons, or free person or persons of colour, shall suffer death or such other punishment as the court may adjudge.

Clause 12.

And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that if any master, mistress, owner or possessor, attorney, manager, overseer or employer, shall at his, her or their own will and pleasure, or by his, her or their direction, or with his, her or their knowledge, sufferance, privity or consent, mutilate or dismember any slave or slaves, or wantonly or cruelly whip, beat, bruise, cut, wound, or imprison or keep in confinement without sufficient support, any slave or slaves, it shall and may be lawful to and for any of His Majesty's justices of the peace of the said island, and they are hereby authorized and required, upon complaint or information thereof, to summon the offender to appear before him, and all such witnesses as may be material to prove the said offence, and shall take down the examination of such offender in writing, and also the state, appearance, marks and condition of the slave or slaves, and all other circumstances that may be necessary to prove the fact, and shall return the same to the clerk of the crown, and shall also bind over the said offender in any sum not exceeding three hundred pounds, with two securities, to appear at the next court of king's bench and grand sessions of the peace; and the clerk of the crown shall, before the sitting of the said court of king's bench and grand sessions of the peace, send such recognizance to the attorney-general of the said island, who is hereby required to proceed against such offender by indictment; and upon trial of such offender, his examination, if signed by him, or the statement in writing of the magistrate, shall be *primâ facie* evidence of such offender having committed the offence, and upon conviction he shall be punished by fine, not exceeding two hundred pounds, or imprisonment, not exceeding six months, or both; and in atrocious cases, the court before whom such offender shall have been tried and convicted are hereby empowered, in case they think it necessary for the future protection of such slave or slaves, to order the marshal to sell and dispose of such slave or slaves to any person (except the owner) at public outcry, for the best price that can be procured for such slave, and the monies arising from such sale, after the payment of the said fees, shall be paid to such owner.

And whereas by the present existing law, although punishment by fine is denounced

Dominica.

denounced against any white person or free person of colour who shall beat, wound, maim, or ill-treat the slave or slaves of any other person, or deprive such slave of his, her or their property; yet, as the testimony of such slave or slaves is inadmissible for his or their conviction, by which such enactment has proved of little effect, as such offence may occur when no white or free person of colour is present, and the offender or offenders from hence may escape with impunity;

Clause 13 Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that from and after the publication of this act, any white person or free person of colour, who shall beat, maim, wound, or ill-treat any slave or slaves the property of another person or persons, or deprive such slave or slaves of his, her or their property, on complaint being made thereof by the owner or owners of such slave or slaves, or his, her or their representatives, to any justice of the peace, and the slave or slaves being produced, and the marks of the blows or wounds being exhibited before any of His Majesty's justices of the peace, such justice shall and he is hereby empowered, authorized and required, should he deem the complaint sufficiently founded, to summon the party so accused before him, and to examine him on oath, and on his refusal to be examined, such contumacy shall be construed an admission of the fact, and thereupon to bind over such white person or free person of colour charged with such offence, himself in the sum of two hundred pounds, with two securities, being freeholders, in the sum of one hundred pounds each, to appear at the next ensuing court of king's bench and grand sessions of the peace, then and there to answer the charge alleged against such white or free person of colour, the said justice having previously examined upon oath such slave or slaves, (should he, she or they have been baptized,) and duly explain and enforce to them the nature and solemnity of an oath; which examination the justice shall return, with the recognizance, to the clerk of the crown, prior to the sitting of such court; and on the parties appearing before the court, the testimony of any slaves who may have been present (he, she or they having been duly baptized) shall be received, as far it shall appear clear and consistent in the opinion of the court; provided always, nevertheless, that no white person, or free persons of colour, shall be convicted of any of the offences aforesaid on the testimony of any slaves, unless two of the said slaves at least do clearly and consistently agree with each other, and depose to the same effect, act or circumstance, and also unless the said slaves are examined apart, and out of the hearing of each other; and provided also, that no person shall be convicted on the testimony of any slaves for any of the offences aforesaid, unless the same shall be prosecuted within twelve months after the commission thereof; and on the conviction of the person or persons charged with such offence, such offender or offenders shall be subject to a fine not exceeding the sum of one hundred pounds, or imprisonment for a term not exceeding three months, at the discretion of the court; and the proprietor shall or may moreover have his action of damages in the court of common pleas against any white person or free person of colour so offending, for any loss of time and labour sustained of such slave or slaves by him, her or them so beaten, maimed, wounded or ill-treated.

Clause 14. And be it further enacted, by the authority aforesaid, that if any white or free coloured person, who is not the owner or director of any slave, shall take away or cause to be taken away from any slave any article or thing whatsoever, or shall take away or cause to be taken away from any slave any stock, vegetables, provisions, grass tops, or any article or thing which such slaves shall be authorized by any present or future existing laws, usages or customs of the island wherein he resides to sell or possess; or shall after purchasing from any such slave any of the articles or things aforesaid, refuse or omit to pay him or her the price agreed upon for the same, or for any labour performed by them; or shall remove or take away by force from any slave or slaves on the ground, or scatter about or destroy any article or thing whatsoever aforesaid, or cause the same to be done, in any such cases on complaint made by the owner or director of the said slave, though it may be without oath, to any justice of the peace in or near the parish where the offence is committed, such justice shall and he is hereby authorized and directed, by an order in writing under his hand, stating the complaint made by such owner or director, to command such person or persons against whom such complaint was made, to appear at a time and place to be specified in such order before him, and any other justice who may be then and there present, that such complaint may be examined into, and such justices are hereby authorized to take the examination of such person complained of upon his or her own oath with respect to the said complaint,

plaint, who shall be compelled to answer upon oath such questions as the said justices may put to him or her; and if such person shall not fully answer such questions, or having been duly summoned refuse to appear as aforesaid, he or she shall be considered as convicted of the said complaint, or if such person having fully answered such questions shall not fully exculpate him or herself, or shall be otherwise convicted before the said justices, he or she shall be fined by the said justices in any sum not exceeding ten pounds current money, to be recovered by warrant under the hands and seals of the said justices, directed to any constable, commanding him forthwith to levy on the goods and chattels of such offender sufficient to pay such fine, with all costs and charges attending all the proceedings aforesaid, and for want of such goods and chattels to commit such offender to the common gaol for any time not exceeding one month, and such constable shall execute such warrant under the penalty of twenty-four pounds current money aforesaid, and the said justices shall and may if they think proper dispose of the fine to the slave so ill-treated, as a compensation for the injuries he or she may have sustained.

Preamble. And whereas a practice hath formerly prevailed, but which has been so universally discountenanced as to be at present in almost general disuse, of punishing ill-disposed slaves, and such as are apt to abscond from their owners, by causing to be fixed round the necks of such slaves heavy iron collars, with projecting iron branches or hooks, to prevent future desertion;

Clause 15. Be it further enacted, by the authority aforesaid, that such practice is hereby declared to be utterly unlawful, and that no person shall on any pretence whatever, under the penalty of fifty pounds, punish any negro or other slave, whether his own property or otherwise, by fixing or causing to be fixed any iron or other collar round the neck of such slave, or by loading the body or limbs of such slaves, for any offence whatsoever, with chains, irons or weights of any kind (except where it is absolutely necessary for securing the person of such slave by a light collar or handcuff not exceeding four pounds weight,) and all and every the justices of the peace within this island are hereby authorized, directed and required, under the penalty of fifty pounds, on information and view of such offence, to order such heavy collar, chains, irons or weights to be immediately taken off from the slave or slaves wearing or bearing the same; and if the person ordered to take off the same shall refuse or neglect so to do, he shall be deemed guilty of a misdemeanor, and punished accordingly: provided always, that nothing contained in this clause shall prevent owners of slaves having on their properties stocks, bilboes or other secure means, to confine refractory slaves, or such as are addicted to running away, so that they are thereby confined without bodily hurt.

And whereas in cases of breaches of plantation discipline, it is necessary for the sake of preserving order and the safety of the property, that prompt punishment should be inflicted, to a certain extent, at the discretion of those to whom the charge of such property is intrusted;

Clause 16. Be it therefore enacted and ordained, by the authority aforesaid, that in cases of breaches of plantation discipline or disorderly conduct, moderate punishments for the purpose of maintaining due order on the plantation shall be allowed; provided that no more than twenty lashes shall be inflicted at a time for one offence by a manager, nor more than five by any overseer, unless the owner, attorney or supervisor be present, nor shall the owner, attorney or director of any slave or slaves inflict, order or cause to be inflicted more than thirty-nine lashes at one time and for one offence, nor inflict or suffer to be inflicted such last-mentioned punishment, nor any other number of lashes in the same day, nor until the delinquent has recovered from the effect of the former punishment, under a penalty not less than ten pounds or more than twenty pounds for every offence, to be recovered against the person directing or permitting such punishment, in a summary manner, upon conviction before any two magistrates by warrant, besides being subject to be prosecuted by indictment in the court of king's bench and grand sessions of the peace.

Clause 17. And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that every slave or slaves not attached to plantations, who shall disobey the orders of his, her or their owner, renter or employer, or shall be guilty of drunkenness, quarrelling, fighting, neglect of duty, or absence without permission from such owner, renter or employer, shall be punished at the discretion of his, her or their said owner, renter or employer by confinement, not exceeding fifteen days, or flogging on the bare breech; provided the number of lashes do not exceed twenty for any

Dominica.

ne offence (if inflicted by the owner,) or twelve if inflicted by any renter or mployer.

Clause 18.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that ll and every slave or slaves, who shall be convicted of the wilful murder, or who hall have been accessary thereto, of any white person, free person of colour, free lack, or slave, shall be deemed guilty of felony, and suffer death, or such other unishment as the court may direct.

Clause 19.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that if any slave or slaves shall be guilty and convicted of rebellion, conspiracy or of robbery, or the attempt of robbery or of burglary, burning or destroying of any cane-piece, house or houses, stores, shops, works or outhouses, or negro houses, or of stealing thereout or therefrom at any time money or goods exceeding the amount of twenty pounds, shall suffer death, or such other punishment as the court may direct; and such slave or slaves convicted of robbery or theft under the value of twenty pounds, or of gaming or any misdemeanor, shall be punished at the discretion of the court.

Clause 20.

And be it further enacted and ordained, by the authority aforesaid, that any slaves who shall be found assembled for mutinous or other dangerous purposes, and who shall refuse to go home to their different houses and plantations when ordered so to do by any white or free persons whatsoever, and who shall be convicted thereof, the ringleader or principal offender shall suffer death, and the others (according to the nature of their crimes or offences) such other punishment by banishment or public flogging on the bare breech, provided such flogging does not exceed thirty-nine lashes; and that if any free negro, free person of colour, or white person, shall hereafter suffer any unlawful assembly of slaves at his or her house or settlement, every such free or white person shall, upon due conviction thereof, suffer punishment by fine not exceeding twenty pounds, or imprisonment not exceeding three months, provided that information shall be given on oath within ten days after such unlawful meeting.

Clause 21.

And be it further enacted and ordained, by the authority aforesaid, that any slave or slaves who shall be convicted of giving, selling or bartering gunpowder, fire-arms, or other offensive weapons, salt, salt provisions, clothes or other necessaries, lead or shot whatsoever, or having intercourse or correspondence with runaways directly or indirectly, shall (according to the degree of the delinquency of such slave or slaves) suffer death, banishment, or such other punishment as shall seem meet, at the discretion of the court where such slave shall be tried.

Preamble

And whereas instances frequently occur of slaves assuming the art of witchcraft, or pretending to supernatural powers, or possessing what is commonly called by them obeah, and dealing in spells, charms and philtres, and thereby influencing the minds of weak and credulous slaves, and frequently stimulating them to actions of the highest atrocity against their masters, renters, managers and overseers, by administering drugs and potions of secret and generally of a poisonous nature, as well as to their fellow slaves or others to whom they bear evil intentions;

Clause 22.

Be it, and it is hereby further enacted and ordained, by the authority aforesaid, that any owner, renter, manager or overseer of any plantation, or any person whatsoever, who shall discover any slave or slaves practising any of the above arts, or pretending to any supernatural powers, or in possession of any drugs or potions, he the said owner, manager or overseer shall cause the said slave or slaves to be committed to the common gaol of this island, to stand his, her or their trial according to law; and on conviction of the said slave or slaves of the aforesaid crimes, he, she or they shall suffer death, or such other punishment at the discretion of the court, by banishment or flogging on the bare breech, as the said court shall deem meet, provided such flogging does not exceed thirty-nine lashes.

Clause 23.

And be it, and it is hereby further enacted, that any slave who under the authority and by virtue of this act shall be sold for transportation by the provost-marshal, notwithstanding such sale shall remain in the custody of the provost-marshal until the purchaser of such slaves shall have entered into bond, with sufficient security to our Sovereign Lord the King, under the penalty of two hundred pounds for every such slave so purchased, that every such slave, if any opportunity should offer, be transported off this island within three months after the date of such bond, and shall in the meantime be kept in close confinement, for which the provost-marshal shall receive from the party entering into the same all expenses incident thereto, and such bond shall be filed among the records in the office of the said provost-marshal.

Clause 24.

And be it further enacted and ordained, by the authority aforesaid, that every

Dominica.

such purchaser of any slave so directed to be sold for transportation as aforesaid, shall at the time of executing such bond as aforesaid, also make oath in writing on some part of the said bond before the provost-marshal as aforesaid, (who is hereby authorized and required to administer the same,) that every such slave so purchased by him shall be transported as aforesaid, and that the slave so purchased shall not within his knowledge, privity or consent be relanded in this island.

Clause 25. And be it further enacted and ordained by the authority aforesaid, that the provost-marshal shall not, under the penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers any slave so sold for transportation as aforesaid, until such bond is entered into, and oath taken as aforesaid; and in case any such slave so sold for transportation as aforesaid, shall be found within this island after the expiration of three months before limited, provided any opportunity should occur for his, her or their transportation, such slave shall become forfeited to the colony, and be resold for transportation by the provost-marshal, in the same manner and under the like penalties as hereinbefore enacted; and the net proceeds of such resale shall be paid over to the treasurer for the use of the public, which fine shall be recovered by indictment in the court of king's bench and grand sessions of the peace.

Clause 6. And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that every slave sold for transportation under and by virtue of this act, who shall be found at large within the island at any time after such sale as is hereinbefore directed, may and shall be lawfully apprehended by any person whatsoever, and immediately taken before any of His Majesty's justices of the peace; and if it shall appear to the satisfaction of the said justice that such slave has been formerly sold for transportation by virtue of this act, such justice shall by warrant under his hand and seal direct such slave to be delivered to the provost-marshal to be resold for transportation only, and the monies arising from such sale, after deducting the customary expenses and marshal's fees, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the treasurer for the time being for the public uses of the island.

Clause 27. And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that if any negro, or other slave or slaves, who shall have been transported from this island by virtue of this act, or of any other act heretofore in force respecting slaves, for murder, or being engaged in rebellion, conspiracy, or obeah or arson, or shall return from transportation, such negro or other slave or slaves shall upon conviction suffer death without benefit of clergy.

Clause 28. And be it hereby further enacted and ordained, by the authority aforesaid, that if any master of any ship or vessel shall knowingly and wilfully bring back to this island any negro or other slaves, who shall have been transported from this island under and by virtue of this act, or any other act heretofore in force respecting slaves, such master being convicted thereof by indictment in the court of king's bench and grand sessions of the peace of this island, shall forfeit the sum of two hundred pounds for each slave so brought back, one moiety whereof shall be paid to our Sovereign Lord the King, His heirs and successors, for the public uses of this island, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall suffer imprisonment at the discretion of the court for any space of time not less than three months, and not exceeding twelve months, without bail or mainprize.

Clause 29. And be it hereby further enacted and ordained, by the authority aforesaid, that if the provost-marshal or any constable shall willingly or negligently suffer any slave or slaves to escape who shall be committed to his or their custody for any offence under this act, such marshal or constable who shall suffer such escape shall, on conviction thereof before two magistrates, forfeit the sum of fifty pounds, to be recovered in a summary manner by warrant under the hands and seals of the said two magistrates, for the use of the said colony, and without injury to the rights of the owner to sue for the value of the same.

Clause 30. And be it, and it is further enacted by the authority aforesaid, that if any slave or slaves shall have been committed to gaol, and who shall not be prosecuted at the following court of petty sessions, the gaol fees of such slave or slaves shall be paid by the person at whose instance such slave was committed, if not otherwise ordered or directed by the court, such fees to be recovered by the marshal by action of debt or on the case.

Clause 31. And be it further enacted, by the authority aforesaid, that no gaol keeper in this island, or any person acting under him as clerk or deputy, shall, on any pretence whatever, work or employ any slave or slaves sent to his custody, nor hire or lend such slaves out to work for any other person or persons during the time such slave or slaves shall be in his custody, but that all such slaves shall be and remain in the common gaol in order to be inspected by any person or persons desiring such inspection; and in case any gaol keeper shall offend herein, he shall for every offence forfeit the sum of ten pounds, to be recovered as provided by the first clause of this act.

Clause 32. And be it further enacted and ordained, by the authority aforesaid, that all fines and penalties to be incurred by virtue of this act, which have not been hereinbefore declared how they shall be recovered and applied, shall, if not exceeding twenty pounds currency, be recovered in a summary manner before any of His Majesty's justices of the peace, by distress and sale of the offender's lands, goods and chattels; and if exceeding twenty pounds, to be recovered in any court of record by action of debt for the uses of the colony.

Clause 33. And be it further enacted and ordained, by the authority aforesaid, that if any person or persons shall be sued for any thing done under and by virtue of this act, he or they may plead the general issue, and give this act in evidence; and if any plaintiff be nonsuited or discontinue his suit, or a verdict be given against him, he shall pay treble costs of suit, and all judges, justices and juries are hereof to take notice and govern themselves accordingly; and no writ shall be sued out against or copy of any process shall be served on any justice for any thing done by him in the execution of this act, until notice in writing of such intended writ or process shall have been served on him or left at his usual place of abode by the attorney for the party one calendar month before suing out or serving the same, containing the cause of action, and indorsed with the name and place of abode of the attorney; provided that no action shall be brought against any justice for any thing done by virtue of this act, unless the same shall be commenced within six calendar months after the act complained of.

Clause 34. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that after the passing of this act all free born or manumitted persons of colour, and all such who may hereafter possess such rights, shall be and are hereby declared and are competent to give evidence as witnesses in all civil and criminal cases whatsoever, any act or provision to the contrary notwithstanding.

Clause 35. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the act of the legislature of this island, intituled, "An Act for the encouragement, protection and better government of Slaves," be and the same is hereby repealed.

Clause 36. And be it, and it is hereby further enacted and ordained, by the authority aforesaid, that one hundred copies of this act be printed.

Cha

Dominica. whereas it is expedient to amend and make perpetual the same, we, therefore, the Governor, Council and Assembly of this Your Majesty's island of Dominica, do humbly pray Your most Excellent Majesty that it may be enacted and ordained:

Clause 1. And be it and it is hereby enacted and ordained, by the authority aforesaid, that if after the publication of this act any person or persons shall tempt, seduce, bribe, solicit, or attempt to persuade any slave or slaves to steal from their owners or employers, or from any person or persons whomsoever, any quantity of coffee, sugar, syrup, molasses, rum, high or low wines, or any other plantation produce whatsoever, and to bring the same to him, her or them, for the purpose of giving or buying, or selling or exchanging by barter the same, such person or persons being of such offence duly convicted by indictment, in the court of king's bench and grand sessions of the peace of this island, within one year next after the commission of the same, shall suffer imprisonment in the common gaol of this island for any space of time not exceeding twelve months, nor less than six months, by the judgment of the said court in the discretion thereof to be awarded.

Clause 2. And be it also further enacted and ordained, by the authority aforesaid, that if any person or persons shall hereafter excite, solicit, entice or persuade any slave or slaves to steal, or attempt to steal, upon or from off of any sugar, coffee or other plantation in this island any lead, copper, brass, iron or other materials, or any implement or utensils anyways used or employed on such plantations, and to bring or carry the same to him, her or them for the purpose of giving or buying, or selling or bartering the same in any mode whatsoever, such person or persons being convicted of such offence as aforesaid, by indictment in the court of king's bench and grand sessions of the peace, shall by the judgment of the said court suffer imprisonment for any space of time not exceeding twelve months, nor less than six months, provided the said offence be prosecuted therein within one year after the commission thereof.

And whereas some persons who are really and truly coffee planters within the intent and meaning of this act find, from the peculiar situation and circumstances of their plantations, great difficulty and disadvantage in cleaning thereon their crops of coffee;

Clause 3. For their relief therefore, be it and it is hereby further enacted and ordained, by the authority aforesaid, that it shall and may be lawful for the treasurer of this island, and he is required to grant from time to time as occasion shall require, a licence to any person being a coffee planter, or being charged with the management of a plantation belonging to a coffee planter, within the true intent and meaning of this act, who shall apply to him for the same, and shall produce and deliver to him a certificate of any three of His Majesty's justices assigned to keep the peace in the said island, that such person is a proper person to be entrusted with such licence, and who shall take and subscribe before him an oath not to clean or bonify any other coffee than coffee being of the proper growth and production of his respective plantation, or of the plantation whereof he shall have the charge as aforesaid; on which licence there shall not be payable to the treasurer, nor shall he demand or take any sum of money whatsoever for the person to whom such licence shall be granted.

Clause 4. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the said act, intituled, "An Act to prevent the buying of Coffee or other "Produce from Slaves, to regulate the business of cleaning Coffee, and to prohibit "the possession of Coffee in berry and parchment, unless to the amount and by the "description of persons herein allowed and excepted," shall with these amendments be and the same is hereby declared to be perpetual.

Passed the Board of Council this 6th day of March 1821.
F. H. Garraway, *Arch^{d} Gloster*, President.
Act^{g} Clerk of the Council. *Cha^{s} Court*, Speaker.

Passed the House of Assembly this 21st day of March 1821.
J. H. Newman, Clerk of Assembly.

Duly proclaimed in the town of Roseau this 22d day of March 1821.
H. Nisbett, D^{y} P. Marshall.

Assented to this 22d day of March 1821.
Sam^{l} Ford,
Whittingham.

JAMAICA.

4th December 1821.

Nº 11.—*AN ACT to amend the Slave Act, by altering the mode of carrying into execution the Sentence of Death on Slaves.*

Jamaica.

No sentence of death pronounced on slaves, except as hereinafter provided, is to be carried into execution without the governor's warrant.

WHEREAS it is expedient that the power of carrying into execution the sentence of death upon a slave should (except in the cases hereinafter provided and excepted) be from henceforth vested in the governor, or person executing the functions of governor, we, Your Majesty's dutiful and loyal subjects, the Assembly of this Your Majesty's island of Jamaica, most humbly beseech Your Majesty, that it may be enacted, be it therefore enacted, by the Lieutenant-governor, Council and Assembly of this Your Majesty's island, and it is hereby enacted and ordained, by the authority of the same, that from and after the passing of this act no sentence of death pronounced on any slave, except as hereinafter provided under and by virtue of the act of the legislature of this island, made and passed in the fifty-seventh year of the reign of his late Majesty, intituled, "An Act for the subsistence, clothing, and the better regulation "and government of Slaves, for enlarging the powers of the Council of Protection, "for preventing the improper transfer of Slaves, and for other purposes," shall be carried into execution, unless by warrant under the hand and seal of the governor, or the person executing the functions of governor, who is hereby authorized and empowered to issue such warrant; provided nevertheless, that in all cases where sentence of death shall be passed on any slave or slaves convicted of actual rebellion, or of rebellious conspiracy, such sentence shall be carried into execution as heretofore.

The evidence, and a copy of the charge against slaves tried for capital offences, to be transmitted to the governor.

And be it further enacted, by the authority aforesaid, that on the trial of any slave or slaves who shall be tried for any capital offence, except as aforesaid, the evidence given on such trial shall, in case of conviction and sentence of death being passed, together with a copy of the charge upon which such slave or slaves shall have been so convicted, and the sentence, be transmitted forthwith to the governor, or the person executing the functions of governor, certified under the hands and seal of the senior presiding magistrate at such trial, or in case of his death or absence, of one of the other justices constituting the court.

MONTSERRAT.

Nº 12.—*AN ACT for the Trial of Slaves accused of Criminal Matters or Offences by Jury.*

Montserrat.

WHEREAS by an act of this island, passed in the year of our Lord one thousand six hundred and ninety-three, intituled, "An Act to restrain the insolence "of Slaves, and for preventing them from committing any outrages, as also the "better ordering such Slaves, &c." it is enacted and ordained, that all slaves guilty of felony shall be tried for the commission of such felony before the governor in council of the said island, which manner of trial has by experience been found to be attended with manifold difficulties and inconveniences; and whereas many other provisions of the said act are manifestly inexpedient and improper; we therefore Your Majesty's dutiful and loyal subjects, the Council and Assembly of this Your Majesty's island of Montserrat, do humbly pray Your most excellent Majesty, that it may be enacted and ordained, and be it and it is hereby enacted and ordained, by the authority aforesaid, that the first, second, third, fourth, fifth, seventh, eighth, ninth, tenth, twelfth and thirteenth clauses in the aforesaid act, as well as an act passed in this island in the year of our Lord one thousand seven hundred and fourteen, and intituled, "An Act for repealing a certain clause in an Act made in "the reign of King William, intituled, An Act to restrain the insolence of Slaves, and "for preventing them from committing any outrages, as also for the better ordering "of such Slaves," be from henceforward repealed, annulled and made void to all intents and purposes whatsoever.

And be it also enacted and ordained, by the authority aforesaid, that from and after the publication of this act, each and every slave who shall be accused of any criminal matter or offence, shall agreeably to the dictates of humanity and justice, be

Montserrat.

be tried by the court of king's bench and common pleas, during the sittings of the said court, in the months of March, April, May, June, July and August, in all respects and forms as a free person.

And be it also enacted and ordained, by the authority aforesaid, that for the trial of all such slaves as shall be committed for any criminal matter or offence after the sitting of the said courts as aforesaid, a court shall be holden at the court-house in the town of Plymouth in this island, and before his honour the chief justice, and the assistant justices of the court of king's bench and common pleas, or any three of them, on the first Tuesday in the months of September, November, December, January and February in each and every year.

And be it also enacted and ordained, by the authority aforesaid, that the judges constituting the said court, or any two of them, shall have full power and authority to sit and adjourn from time to time, during the space of ten days, and no longer, from the first day appointed for holding such court in each month respectively: And be it also enacted and ordained, by the authority aforesaid, that the provost-marshal or his lawful deputy shall issue summonses in writing to the white freeholders And inhabitants of this island, to serve as a grand jury and petit jury upon the trial of all such slaves as aforesaid; which summonses shall be issued at least four days before the sittings of the said last-mentioned court, and shall be personally served or left at the usual place of abode of the party summoned: And be it also enacted and ordained, by the authority aforesaid, that all jurors and others whose duty it is to attend, or who are required to attend the sitting of the said court, not attending, or not appearing when called in court, or departing without the leave of the said court, which court is hereby authorized and directed to meet at the hour of ten o'clock in the forenoon precisely, in the days and months specified as aforesaid, shall be fined two pounds current money of the said island, unless a sufficient reason is assigned at the next or adjourned court for their non-attendance, to be levied by warrant from the bench, to be directed to the provost-marshal of the said island, or his lawful deputy, to be issued before the adjournment or the separation of the court.

And be it enacted, by the authority aforesaid, that the provost-marshal, or his lawful deputy, shall be and is hereby empowered and strictly enjoined and required, diligently to receive and collect in all monies due or to become due for any fine or fines imposed by this act, and in case of non-payment, to arrest and detain in custody the body or bodies of any and all person and persons on whom such fine or fines shall be imposed, until such fine shall be paid and satisfied, together with all expenses arising from the arrest and detention of such person or persons; and the marshal or his deputy shall annually, or oftener if called upon by the committee of public accounts of the council and assembly of this island, from time to time to be appointed, account on oath for the monies collected and received for such fines, and pay the balance into the hands of the treasurer of this island for the time being, upon pain of answering double the value thereof to His Majesty, his heirs and successors, for the public uses of this island, in any suit to be commenced for the same: And for the encouragement of the marshal in doing his duty in collecting such fines and other monies which may become due as aforesaid, be it further enacted, by the authority aforesaid, that for all monies arising thereby, which shall be paid by such marshal or his deputy without suit or prosecution at law to compel him to the payment thereof, he shall retain and be allowed at and after the rate of five per cent.

And be it further enacted and ordained, by the authority aforesaid, that all monies which, after the payment of the charges of collecting the same, shall be raised and paid in on account of any fines or forfeitures to be imposed by the court hereby established, shall be to the use of His Majesty, his heirs and successors, and applied to the public uses of this island.

And be it also enacted and ordained, by the authority aforesaid, that in order to promote and further the purposes of justice, and that the advantages and benefits to be derived from such fair and open trial as is established by this act, shall be secured to the slave in the event of the owner or proprietor of any slave refusing or being unable to provide counsel to defend such slave or slaves, that then it may and shall be lawful for the judges of the court before whom any slave shall be tried as aforesaid, to nominate and appoint one of the barristers of the court of king's bench and common pleas to appear and argue as counsel on behalf of the said slave; and which counsel, so nominated and appointed as aforesaid, shall receive and be paid out of the public treasury of this island the sum of seven pounds four shillings current gold and silver money of the said island, for each and every occasion upon which he shall be so called upon to appear and argue: And whereas, in cases of criminal offences committed by slaves, it may not be always possible to procure the testimony of free persons, and as it may therefore become indispensably necessary, in order that the ends and purposes of justice may not be defeated, and the provisions of this act rendered nugatory, to admit the testimony of persons in the condition of slavery; be it also enacted and ordained, by the authority aforesaid, that in all trials as aforesaid, the testimony of each and every witness, of whatever colour or condition, class or denomination, shall be taken upon oath, before the said court by whom any slave or slaves shall be tried, agreeably to the form of oath usually administered in courts of justice, any law usage or custom to the contrary in anywise notwithstanding.

And be it enacted and ordained, by the authority aforesaid, that whenever it may be necessary to have the evidence of any slave or slaves, at any trial under and by virtue of this Act, any one justice of the said court, upon the application of either party, is hereby empowered to issue a summons to the owner or proprietor of such slave or slaves, or to the acting attorney, manager or agent of such owner or proprietor, to produce such slave or slaves at the time and place appointed in such summons, such summons to be issued and served forty-eight hours before the time appointed for such trial; and such person or persons so receiving such summons, shall produce such slave or slaves so required, under the penalty of fifty pounds current gold and silver money of the said island, unless such an excuse is made as may appear reasonable to the said court; which said fine, when imposed, shall be levied by warrant under the hands and seals of the said justices, or any two of them, directed to the provost marshal or his lawful deputy, on the goods and chattels, lands and tenements of the defaulters.

And be it further enacted and ordained, by the authority aforesaid, that all indictments found by the grand jury, under and by virtue of this act, shall be tried on the day of finding, and no traverse of an indictment allowed in any case, without good cause shown to the court; and if good cause is shown, and the indictment postponed, it shall come peremptorily to trial at the next court, unless good cause again be shown.

And be it enacted, by the authority aforesaid, that this act shall continue in force for three years from the publication thereof, and from thence to the next meeting of the council and assembly.

Dated at Antigua, the twentieth day of July, in the third year of the reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and in the year of our Lord one thousand eight hundred and twenty-two.

W. D. Furlonge, Speaker.

Passed the Assembly this 4th day of June 1822.

Henry Dyott, Clerk of the Assembly.

Passed the Council this 29th day of June 1822. *T. Hart*, Dep. Secʸ, &c.

B. (L. S.) D'URBAN.

MONTSERRAT.

N° 13.—*AN ACT to aid and assist the Magistrates in the performance of their Duty, and for establishing a Police and Nightly Watch, as also a Criminal Gang in the said Island.*

WHEREAS it is expedient, for the prevention and punishment of crimes and offences, that a police should be instituted, and a criminal gang established in this island; we therefore, Your Majesty's dutiful and loyal subjects, the Captain-general and Governor in chief, in and over Your Majesty's island of Antigua, Montserrat, and Barbuda, and the Council and Assembly of this Your Majesty's island of Montserrat, do pray Your most excellent Majesty, that it may be enacted and ordained, and be it, and it is hereby enacted and ordained, by the authority aforesaid, that within ten days after the passing and publication of this act, all the magistrates in the said island, excepting the president of His Majesty's council, and the other members thereof, the speaker of the house of assembly and the senior king's counsel, the chief justice and assistant justices of the court of king's bench and common pleas, are authorized and required to assemble and meet at the court-house in the town of Plymouth, in the said island, and having so assembled and met, they or the major part of them shall choose and elect two sober and reputable white men or free men of colour, to serve as police officers; which white men or free men of colour as aforesaid, after being so appointed as aforesaid, shall each and both of them take the following oath; I, *A. B.* do swear, that I will, to the utmost of my ability, execute the several trusts and charges committed to me, by and under an act, intituled, "An Act to aid and assist the Magistrates in the performance of "their duty, and for establishing a Police and Nightly Watch, as also a Criminal "Gang in the said Island."

And be it also enacted and ordained, by the authority aforesaid, that the said magistrates, or a major part of them, shall also choose and elect one sober and respectable white man, who shall be considered as the principal or head of the police; and that these three policemen, so chosen and appointed as aforesaid, shall form and act as a body of police, under the control, orders and directions of the magistrates as aforesaid, in preventing offences, and in detecting criminals and offenders, and bringing them to justice, and in putting into force and execution the laws and regulations of the island.

And be it also enacted and ordained, by the authority aforesaid, that the duty of the said head of the police shall be to attend to the sitting or any other magistrate, together with such other of the inferior police officers as the magistrates may desire, or occasion may render necessary, on each and every day in each and every week, and at any time the said magistrates may appoint to hear and determine upon such charges of public crimes and offences as may be brought before them; and the said head of the police is, when duly authorized, directed to summon or cause to be summoned, persons accused of offences or crimes and evidences; and if the accused person be a slave, to summon his or her owner or director to be and appear before the sitting magistrate, at such time as they may order and appoint; when after a full investigation and hearing, the said magistrates will form their determination and sentence, according to the established laws of this island in such case made and provided.

And whereas it has frequently happened that complaints are exhibited before the magistrates of the said island, which turn out upon investigation frivolous and vexatious, and as these complaints may in all probability be made in consequence of there being no proper or sufficient fee demanded by the said magistrate for issuing the warrant to bring the party or parties charged to answer the complaint; be it and it is hereby enacted, by the authority aforesaid, that in every case where a complaint is made against any person or persons, that the magistrate or magistrates to whom such complaint is made, shall previously to the issuing the warrant, to bring the party or parties complained against before him or them, to answer such complaint, as a remuneration for his or their trouble for issuing the warrant and hearing the complaint, receive from the complainant the sum of four shillings and sixpence gold and silver money of the said island.

And be it further enacted, by the authority aforesaid, that if upon hearing the complaint in any case, the person or persons complained against shall be found to be in error in any degree, that then and in such case, whether they be bound over to appear to answer such complaint at the next court of king's bench and common pleas, or at the grand sessions of the peace to be holden for the said island, or the complaint dismissed upon reprimand or otherwise, by the said magistrate or magistrates, that he or they shall order and direct that the said party so complained against, and found in error, shall immediately and before departure from the presence of the said magistrate or magistrates, reimburse to the complainant the said sum of four shillings and sixpence so advanced for obtaining the warrant to appear and answer to the said complaint; and shall also pay to the said magistrate or magistrates, the further sum of four shillings and sixpence gold and silver money, making together nine shillings; if otherwise, the said sum of nine shillings for issuing the warrant, and advanced by the complainant, shall not be returned to him, but the expense shall be borne by him for making a frivolous and vexatious complaint.

And be it also enacted, by the authority aforesaid, that should the party complained against refuse to pay, under the circumstances aforesaid, the said sum of nine shillings when so ordered and directed, the said magistrate or magistrates are hereby authorized and directed to commit him her or them so contemptuously refusing, to the common gaol, there to remain for the space of seven days, or until the said sum of nine shillings be fully paid and satisfied: provided always, that in every case where slaves are concerned or complained against, no fee shall be required to be paid in any respect whatsoever by them.

And be it also enacted, by the authority aforesaid, in order to ensure the due performance and execution of the provisions of this act, so far as relate to the magistracy, that the aforesaid magistrates shall each in his turn sit and preside weekly, and every day in the week, from twelve till two in the forenoon, under the penalty of ten pounds gold and silver money for each and every default; the sitting magistrate for the week having it at all times in his power, in cases of difficulty or otherwise, to request the assistance and co-operation of one or more of his brother magistrates, accordingly as it seems to him proper or necessary so to do; provided that no magistrate shall be liable to the penalty if he procures some other magistrate to sit and act in his stead.

And be it also enacted, by the authority aforesaid, that the said magistrates, or a majority of the same, are hereby authorized and empowered, from time to time to discharge such police officer or officers as may be negligent or incompetent to fulfil the duties of his or their situation, and to fill up all vacancies which may happen by such discharge or otherwise by election as aforesaid; and also to make such further rules and regulations as they from time to time shall consider beneficial and proper: provided always, that such rules and regulations be not in any respect contrary to the meaning and intention of this act.

And be it also enacted, by the authority aforesaid, that the said magistrates, or the major part of them, shall order and direct the two police officers alternately, night by night, to patrol and inspect the streets lanes and alleys of the said town of Plymouth, in the said island, each and every night at irregular periods, with the intent to discover and apprehend all lurkers, thieves or suspected persons who may be within the said town, whom upon such discovery and apprehension they shall confine in the dark hole, or in such other place as may hereafter be provided for such purpose, and bring in the morning to justice as aforesaid.

And be it enacted, by the authority aforesaid, that if any robbery is committed, or any gambling or riotous houses or house of ill-fame is kept, or any nuisance or irregularity is committed, such as slaves congregating in bodies in the streets, lanes, alleys, bays or landing places in the town of Plymouth aforesaid, or carrying lighted sticks or matches in the streets, lanes or alleys of the town of Plymouth aforesaid, the police officer or officers who hath or have been informed or made acquainted with the same, and who shall not have taken active and proper measures to prevent, suppress or disperse the same, or to apprehend and bring to justice the offenders, shall be discharged from his or their situation, lose his or their pay that may be then due to him or them, and be rendered incapable of ever serving again in the same situation or capacity.

And be it also enacted, by the authority aforesaid, that if any slave or slaves shall be convicted before any magistrate or magistrates of any offence hereinbefore mentioned, or shall be heard to utter indecent and blasphemous language openly in the public streets, he she or they shall, upon conviction thereof, before any magistrate of the said island, receive such corporal punishment by working in the chain gang, or otherwise as the law permits, and the said magistrate shall deem proportionate to the offence.

And be it enacted, by the authority aforesaid, that the police officers ringing at the hour of eight o'clock, and for the space of five minutes, as a notice or warning, a large brass or iron bell, to be placed in the centre of the square called Gallows Square, within the limits of which square the police officers shall see that the negroes selling provisions shall confine themselves for their public market, clear the town of every negro or other slave discovered after the hour of nine o'clock at night, until day-light in the morning, without a note purporting to be a pass from his or her owner or director, then and in that case they are hereby ordered to apprehend all slaves so discovered, and to confine them in the dark hole during the night, and have them brought before the sitting magistrate in the morning, to be punished according to the nature of the offence; and the expenses attending the caption and detention of such slaves shall be paid by the public.

And be it also enacted, by the authority aforesaid, that the police officers shall be ready, when called upon, to aid and assist each other; and it is hereby ordered and directed, that the constables appointed for the town of Plymouth, and throughout the island generally, when called upon particularly so to do, shall afford ready and prompt assistance to the said police officers in putting into effect and execution the intent, meaning and provisions of this act.

And be it also enacted, by the authority aforesaid, that if the slave or slaves so taken up as aforesaid, prove to be runaway, in that case the owner or director shall pay the sum of nine shillings gold and silver money, for taking up, and the further sum of nine pence gold and silver money per mile, for every mile such slave or slaves may have been sent direct to the owner or director as hereinbefore expressed; but if such owner or director shall not be known after such slave or slaves shall have been confined twenty-four hours, the magistrate taking cognizance of the matter, shall by his warrant send the said slave or slaves to the head of the police, to be worked in the criminal gang to be hereinafter instituted, until claimed by his her or their owner or director.

And be it also enacted, by the authority aforesaid, that when any slave or slaves shall be brought before any justice or justices of the peace, or before any court of justice in this island, legally authorized to try such slave or slaves, and if lawfully convicted of any crime less than felony without benefit of clergy, it shall and may be lawful for the justice or justices, or the judges of such court as aforesaid, before whom such slave or slaves shall be convicted, to order and adjudge that such slave or slaves shall be kept to hard labour, for any time not exceeding three months, in amending and keeping in repair the streets, lanes or alleys in the town of Plymouth, or the public roads, under the orders and superintendence of the head of the police and his officers.

And be it also enacted, by the authority aforesaid, that in all cases where any slave or slaves shall be subject or made liable by this act to work or labour upon the streets or high roads, they shall be kept, if more in number than one, linked together two and two by a light chain, and worked together in one body or gang, to be called the criminal gang, and at such times as negroes upon estates are usually kept and worked together, and shall be committed to the dark hole, or such other place as may be selected every evening after the labour of the day is over, and there kept until the succeeding day; and the head of the police is furthermore directed to provide food for such slave or slaves, and shall be allowed at and after the rate of nine pence per day for each and every slave so long as he is in confinement; and he is also directed to furnish such slave or slaves with such medical assistance, in the event of sickness, as is usually done in the case of imprisoned sick slaves, and also to provide for such sick slave or slaves such nourishment and care as shall be ordered and directed by the medical attendant, charging the expenses incurred thereby in his quarterly account.

And whereas it often happens that negro and other slaves who have been duly convicted of felonies and sentenced to death for the same, receive a free pardon from the chief governor or other commander-in-chief, and escape without punishment, because although their offence may require correction they are not thought deserving of death; be it therefore enacted, by the authority aforesaid, that whenever the governor or commander-in-chief for the time being shall think a culprit so convicted and sentenced as aforesaid, a fit object of mercy, and shall grant him a pardon, he may annex to such pardon a condition, that the said culprit so pardoned shall be compelled to work in the criminal gang hereinbefore instituted, for such time as he the said governor or commander-in-chief for the time being shall think proper.

And be it also enacted, by the authority aforesaid, that the police officers appointed by virtue of this act, shall have the same power and authority, independently of their office, in executing all warrants, summonses and other orders of the magistrates, as any constable duly appointed and sworn by virtue of any usage or law now in force.

And be it also enacted, by the authority aforesaid, that the head of the police aforesaid, shall receive and be paid out of the public treasury the sum of seventy pounds of gold and silver money of this island in quarterly payments, and each of the inferior police officers the sum of sixty pounds gold and silver money annually in like quarterly payments.

And be it also enacted and ordained, by the authority aforesaid, that his honour the president, and any two of the sitting magistrates of the said island, are hereby authorized to draw upon the treasurer of this island, at the expiration of every quarter of a year, in favour of the police officers, for the respective sums due to them, and also for any sum not exceeding thirty pounds per annum for repairs of the stocks, Montserrat.

dark hole, or other incidental expenses they may incur under this act; and the said treasurer is hereby authorized and directed to pay such drafts free from every deduction whatever, and to charge the same in the treasury books of this island.

And be it also enacted, by the authority aforesaid, that all expenses incurred by this act for carrying into execution the several clauses and provisions thereof, shall be raised in the usual manner that taxes in the said island are raised, and paid out of the general fund of the said island.

And be it enacted, by the authority aforesaid, that the penalty of ten pounds gold and silver money imposed upon the magistrates for neglecting to do what is enjoined them by this act, shall be to the use of His Majesty, his heirs and successors, and to be applied as the council and assembly shall direct.

And be it enacted, by the authority aforesaid, that the head police officer, in case of non-attendance of the said magistrates, shall immediately give notice thereof to the president of the said island, who shall forthwith issue his warrant, directed to the said police officer, to levy the fine upon the goods and chattels of the defaulters, together with all expenses attending such levy.

And be it enacted, by the authority aforesaid, that this act shall and do remain in force for the term of two years from and after the publication thereof, and from thence until the next meeting of the council and assembly of this island.

Dated at Montserrat, the fifth day of March, in the year of our Lord one thousand eight hundred and twenty-three, and of His Majesty's reign the fourth.

Edm^d Semper, Speaker pro tempore.

Passed the Assembly this 1st day of March 1823.

Henry Dyott, Clerk of the Assembly.

Passed the Council this 1st day of March 1823.

Terence Hart, Dep. Secy, &c.

B. (L. S.) D'URBAN.

Duly published this 6th day of March 1823.

Mich^l Jos. Semper, Dep. Pro. Mar.

NEVIS.

N° 14.—*AN ACT to alter and amend an Act, intituled, "An Act for settling "and regulating the Trial of Criminal Slaves by Jury;" to ascertain and regulate the Fees of Justices of the Peace, and the Charges of Constables, and to authorize the said Justices to compel the payment of such Fees and Charges by the Parties on whom the same shall be chargeable.*

Nevis

WHEREAS an act, intituled, "An Act for settling and regulating the Trial of "Criminal Slaves by Jury," hath been found inconvenient, defective, and very difficult to be carried into execution, whereby very heavy expenses have been incurred by persons prosecuting; and also offenders have frequently escaped the punishment justly due for their misdeeds; for remedy whereof, we, Your Majesty's most loyal and obedient subjects, the Captain-general and Governor-in-chief of Your Majesty's islands of Saint Christopher, Nevis, Anguilla and the Virgin Islands, and the Council and Assembly of this Your Majesty's island of Nevis, humbly pray Your most sacred Majesty that it may be enacted and ordained, and be it and it is hereby enacted and ordained, by the authority aforesaid, that from and immediately after the passing and publication of this act, it shall and may be lawful for any one or more of His Majesty's justices of the peace in this island, to hear and determine, in a summary way, any complaint or complaints against any slave or slaves whatsoever, for any misdemeanor or offence under the degree of felony, or for insolent or abusive language or behaviour, or for any other misconduct deserving punishment; and for that purpose any one or more of the said justices is and are hereby fully authorized and empowered to issue out his or their warrant or warrants for the apprehending of any slave or slaves whatsoever, upon any such complaint as aforesaid; and upon conviction of the offender or offenders, by witness, confession or otherwise, to adjudge and cause to be inflicted on such slave or slaves any corporal or other punishment, or both, at the discretion of the said justice or justices, any thing in the said recited act to the contrary thereof in anywise notwithstanding;

Nevis.

provided always, that such corporal punishment shall not extend to life or member, nor exceed at any one infliction the number of thirty-nine lashes with the whip or cat-o'-nine-tails; and the said justice or justices may direct and order the expenses of such proceeding to be paid by the owner, renter or director of such slave or slaves, or by the prosecutor, or between them, as the said justice or justices shall deem just.

2. And be it also enacted and ordained, by the authority aforesaid, that upon any complaint made to any justice of the peace within this island, of any capital crime or felonious act or acts alleged to have been committed by any slave or slaves, the said justice shall issue his warrant for apprehending the offender or offenders, and shall summon all such persons as he the said justice shall think fit to give evidence to come before him; and if, upon examination into such complaint, the same shall appear to be well grounded, the said justice shall commit the accused slave or slaves to the common gaol of this island, or if the offence be bailable, may admit such accused slave or slaves to bail, to stand his her or their trial, on any day within ten days after such commitment or bailment, at the public court-house of this island; and such justice shall, within forty-eight hours after such commitment or bailment, give notice in writing to some other two or more justices (one of whom shall be of the quorum, if such justice so giving notice be himself not of the quorum) to attend at the court-house on the day and hour mentioned in the said notice, then and there to proceed to the trial of such accused slave or slaves mentioned in the said notice; and the said justice shall also, within forty-eight hours after such bailment or commitment, or as soon as may be, bind over all person or persons, by recognizance to His Majesty, before him, who may be competent to prosecute or give evidence on the trial of the said accused slave or slaves; and the said justice, or any one or more of the justices mentioned in the said notice, shall and may, at any time before the conviction or acquittal of such accused slave or slaves, grant a warrant or precept in writing, under their hand, or the hand of one of them, directed to any constable, requiring such constable to summon any witness or witnesses to give evidence on such trial; and any person or persons having had due notice by such constable, and neglecting or refusing to attend on such trial as a witness or witnesses, and not showing to the satisfaction of the associated justices any lawful excuse for such neglect or refusal, shall forfeit not less than ten pounds current money, or more than fifty pounds like money, at the discretion of the said associated justices: And whereas it is very unusual for any person in holy orders to sit on the trial of any person charged with a capital offence, be it enacted, by the authority aforesaid, that whenever in such case it shall happen that the magistrate first applied to be a clergyman, then and in such case the said magistrate shall, within twenty-four hours after the commitment or bailment of any slave or slaves, give notice in writing to any three or more justices of the peace, one whereof shall be of the quorum, to attend at the court-house on such day as they appoint, within ten days after their receiving such notice as aforesaid, to try the offender or offenders; and the justices named in the said notice are hereby required and empowered to try the said offender or offenders on such day as they shall appoint for this purpose, or as soon afterwards as practicable, at the court-house in Charlestown in this island; and for that purpose, they shall or may from time to time cause, by their precept or warrant directed to the provost-marshal, his deputy, or to any constable, the said offender or offenders, and all necessary witnesses, to come or be brought before them the said justices on a day to be specified in the said precept or warrant.

3. And be it also enacted and ordained, by the authority aforesaid, that the said associated justices, any two or more of them, shall issue a warrant under his or their hands and seals, at least five days before the day appointed for proceeding to the trial of such accused slave or slaves, directed to the provost-marshal of the said island, or his lawful deputy, authorizing and requiring him to summon twelve respectable inhabitants of the said island (being whites) to appear before the said associated justices, or any three of them, one whereof to be of the quorum, at the said court-house, at the said town of Charlestown, at the time specified in the said warrant; which twelve inhabitants as aforesaid shall be summoned by such marshal, or his deputy, twelve hours at least before the time appointed for the meeting of the court.

4. And be it enacted and ordained by the authority aforesaid, that the said associated justices, or any three of them, one whereof to be of the quorum, and six of the said twelve inhabitants so summoned, shall be and are hereby constituted and declared to be a court and jury, with full power and authority to hear

and

Nevis

and determine upon all evidences, proofs and testimonies at such trial so to be had as aforesaid.

5. And be it enacted, by the authority aforesaid, that before the said associated justices shall proceed to try any accused slave or slaves committed or bailed as aforesaid, the said justices, in open court, on the day of proceeding to trial, shall take the following oath, which shall be administered to them by the secretary of this island, or his lawful deputy, or in their absence by the person acting as clerk of the court:—"You shall serve the King, and indifferently administer justice to all men, "without respect of persons, nor deny right to any. So help you God."

6. And be it also enacted and ordained, by the authority aforesaid, that the jury to be sworn for the trial of such accused slave or slaves shall be chosen in the same manner as juries are in the court of king's bench and common pleas of this island: provided always, that if by reason of defaults or other cause there shall not be present in court a full jury of six such inhabitants as aforesaid, for the trial of any accused slave or slaves, then and in such case the said associated justices shall be and are hereby authorized and empowered to order a sufficient number of the by-standers to be impannelled with the other jurors to make up the number of six, and the jury so impannelled shall be competent for all the purposes meant or intended by this act: provided always, that no juror shall be sworn who shall be challenged for cause, and such cause allowed by the court.

7. And be it enacted and ordained, by the authority aforesaid, that immediately after such jury shall be chosen, the following oath shall be administered to them.—"You shall, to the best of your judgment and knowledge, impartially try the pri"soner or prisoners now before you, and true verdict give according to the evi"dence. So help you God."

8. And be it enacted and ordained, by the authority aforesaid, that to all witnesses examined upon any trial to be had by virtue of this act, if whites, or free people of colour, or other persons, being slaves, who shall appear to be sensible of the nature and religious obligation of an oath, the same oath shall be administered as would in similar cases be administered to witnesses in the court of king's bench and common pleas of this island.

9. And be it enacted and ordained, by the authority aforesaid, that if the said jury as aforesaid shall find any slave or slaves guilty of the offence or offences wherewith such slave or slaves shall or may have been charged, then the justices presiding at the trial shall either on the day of trial, or within ten days after, if they shall see no just cause to suspend their sentence, or to arrest the judgment, pass sentence of death, or such other punishment, upon such slave or slaves, according to the offence or offences whereof he she or they shall have been convicted, according to law.

10. And be it enacted, by the authority aforesaid, that in case any sentence of death be passed on any slave or slaves, then they the said associated justices shall, within twenty-four hours after passing sentence, issue a warrant, under their hands and seals, directed to the provost-marshal, or his lawful deputy, to cause execution to be done, at such time and place as they shall appoint, not before six days after passing such sentence of death.

11. And be it enacted and ordained, by the authority aforesaid, that in case any sentence of death be passed upon any such slave or slaves, the said justices shall and they are hereby required, as soon as may be, and within twenty-four hours after the sentence, to give notice of the said sentence of death so passed to the person in chief command in this island for the time being, upon such notice as aforesaid, shall be and is hereby authorized and required to give notice of such sentence forthwith to the governor-in-chief of these islands or the commander-in-chief for the time being.

12. And be it enacted, by the authority aforesaid, that in case the offence or offences of which such slave or slaves shall or may have been convicted by virtue of this act, shall be such as is or are not by the law punishable with death, but with corporal punishment, or imprisonment, or transportation, then the said associated justices, or any three of them, may and they are hereby empowered, authorized and required, by warrant under their hands and seals, to cause to be inflicted such corporal punishment on such slave or slaves as they shall think proper, and in such place and at such time as they shall think most advisable, or to order and direct such imprisonment, or to sentence in offences now by law punishable by transportation, or which may hereafter be made so punishable, such offender or offenders

to be transported to such parts or places as the commander or governor-in-chief of these islands may appoint, and to be imprisoned until such sentence can be carried into execution.

13. And be it enacted and ordained, by the authority aforesaid, that in cases determinable by one or more justices of the peace, (in a summary way,) the said justice or justices shall inquire into and assess the damages sustained by any person or persons by reason of the offence or offences committed by any such slave or slaves; and in case the offender or offenders shall be tried before a court and jury, such court and jury shall inquire into and assess such damages so sustained as aforesaid; and the justice or justices before whom the complaint may have been heard and determined, or the offender or offenders tried, shall adjudge the amount of the damages assessed as aforesaid, or so much thereof as they shall deem proper to be paid by the owner or owners of such slave or slaves, or by the public of this island, to the party or parties aggrieved as to justice may appertain, not exceeding the value of such slave or slaves so convicted; and thereupon such slave or slaves, if the same shall not be sentenced to death or transportation, shall, after having suffered the punishment assigned for his her or their offence or offences, be delivered to his her or their owner or owners, or the representatives of such owner or owners, provided he she or they shall pay such damages as shall or may have been adjudged as aforesaid; but upon neglect or refusal to do so, within ten days after judgment, it shall and may be lawful for the said justice or justices respectively, and he and they is and are hereby required to adjudge such slave or slaves to be sold by the provost-marshal or his deputy at public sale in the town of Charlestown, at the expiration of twenty days after such judgment, for the most money that can be obtained for each slave or slaves, unless the owner or owners of such slave or slaves shall in the mean time pay the amount as adjudged, and all costs and charges incurred up to the time of such payment; and that out of the amount of such sale, the provost-marshal or his lawful deputy shall pay such damages as aforesaid, according to the discretion of such judgment, after deducting all costs and charges attending the sale, and shall after such deductions and payment pay over the remainder, if any, to such owner or owners of such slave or slaves, representative or representatives of such owner or owners; and it is hereby enacted and declared, that the bill of sale of the said marshal or his deputy for the slave or slaves so sold shall be a good and sufficient title to the purchaser at such sale.

14. And whereas it is usual, upon petition preferred to the assembly of this island, to allow to the owner or owners of a slave or slaves executed the value thereof, be it enacted, by the authority aforesaid, that before the treasurer of this island shall pay any sum of money allowed to such owner or owners of such slave or slaves executed, he shall pay to the person or persons to whom damages shall have been awarded as aforesaid, the amount thereof, not exceeding the sum allowed by the assembly, and pay the overplus, if any, to the owner or owners of such slave or slaves executed.

15. And be it enacted and ordained, by the authority aforesaid, that in order to prevent the magistrates and the inhabitants of this island from refusing or neglecting, upon application made, to sit, hear and determine causes of slaves, as by this act they are required and directed to do, in case any justice of the quorum or justice of the peace, upon application or notice made as hereinbefore directed, shall neglect or refuse to perform any duty imposed in and by this act, without having a reasonable or lawful excuse for such neglect or refusal, he shall forfeit the sum of fifty pounds, to be recovered by action of debt, by the party aggrieved by such neglect or refusal, in any court of record within this island, with full costs of suit, one half of such penalty to the use of the party suing, the other half to the use of His Majesty, to be paid into the public treasury of this island; and if any inhabitant, being a white person, after he shall have been duly summoned to attend as a juror, shall not appear, or wilfully make default, without having a reasonable or lawful excuse for such neglect or refusal, such person neglecting or refusing to appear, or making such wilful default, shall for every refusal, neglect or default, forfeit not less than five pounds, or not more than twenty pounds, current money of this island, at the discretion of the court who shall try such action, with full costs, one half of such forfeiture to be paid to the person aggrieved by such refusal, neglect or default, and the other half to the use of His Majesty, his heirs or successors, to be applied to the support of the government of this island and the public charges thereof.

16. And be it enacted, by the authority aforesaid, that in all prosecutions insti-

tuted against slaves for capital crimes, the prosecution shall be conducted by a counsel for the crown, to be named by the president of His Majesty's council, at the expense of the public of this island.

Nevis

17. And be it enacted and ordained, by the authority aforesaid, the justice or justices who shall attend for the purpose of holding a court, in capital or felonious cases, as is hereinbefore directed, shall have full power and authority to adjourn the said court and jury whenever and as often as they shall see just occasion, and to summon another jury in case the same shall be necessary: and the said court shall have the same powers and authorities in cases before them, as the court of king's bench and common pleas of this island possess in matters under their jurisdiction, as to committing of prisoners or bailing them, or punishing witnesses for not appearing, and all persons guilty of any contempt of the said court.

18. And be it enacted and ordained, by the authority aforesaid, that the said provost-marshal, or his lawful deputy, shall attend every trial in felonious or capital cases, so to be had as aforesaid, upon pain of forfeiting for every wilful neglect the sum of fifty pounds current money of this island, to be recovered by warrant under the hands and seals of the said last-mentioned justices, directed to the coroner of this island, and applied as the former penalties of this act are directed to be applied; and the said provost-marshal, or his lawful deputy, shall be allowed in his public accounts the sums mentioned in the schedule to the act annexed, on each trial, unless the payment of the same shall have been otherwise adjudged and awarded by the justices

19. And be it enacted and ordained, by the authority aforesaid, that the colonial secretary of this island, or his lawful deputy, shall, upon receiving notice from the said justices, or from any one or more of them, attend every trial by jury to be had by virtue of this act, and shall also administer the oaths to justices, jurors and witnesses, and make entries of the proceedings in a book to be kept by him for that purpose, and shall be allowed in his public accounts for each trial the sums mentioned in the said schedule, unless the payment of the same shall have been otherwise adjudged and awarded by the said justice. and in case the said secretary, or his lawful deputy, shall wilfully neglect to attend on each trial, he shall forfeit the sum of fifty pounds current money of this island, to be recovered by warrant under the hands and seals of the said justices, directed to the provost-marshal, or his lawful deputy, and applied in the same manner as the former penalties of this act are directed to be applied.

20. And whereas it is just and proper, that gentlemen who accept and execute the burthensome office of justices of the peace, and the constables and others acting under their authority, should receive a reasonable compensation for their trouble, and that such compensation should be ascertained, and provision made for the prompt payment thereof by law, and also that the said justices and every of them should be empowered to direct the payment of costs by the parties, on complaints made before them, as to justice may appertain; be it therefore enacted and ordained, by the authority aforesaid, that the fees, after the rate specified in the schedule hereunto annexed, shall and may be demanded and received in future by the justice or justices of this island, and that the same shall be paid by the party or parties applicant in the first instance, and that such justice or justices is or are hereby authorized and empowered, upon all complaints and matters between party and party cognizable by them, or one or more of them, to adjudge and award the costs and charges thereof to be paid by either of the said parties, or by and between them, and in such manner as in the judgment and discretion of such justice or justices shall appear to be right; and if any person or persons liable to pay such fees as aforesaid, or who shall or may have been adjudged to pay such costs and charges as aforesaid, shall refuse or neglect to pay the same in five days after judgment, in current gold and silver money, according to the true intent and meaning of this act, and exclusive of any damages which shall or may have been assessed as is hereinbefore directed, then and in such case it shall and may be lawful for the said justice or justices, and he and they is and are hereby authorized and empowered, by warrant under his hand and seal, or their hands and seals, directed to the provost-marshal of this island, or his lawful deputy, or to any constable, to direct the same to be levied on the goods and chattels of such person or persons ordered to pay such fees and charges, and for want of such goods and chattels, by their warrant, under their hands and seals, to commit the person or persons so neglecting or refusing, to the common gaol of this island, there to remain without bail or mainprize, for any space of time not exceeding five days, unless such fees or costs and charges, together with the charges

Nevis.

and expenses of commitment, shall be in the meantime paid: provided always, that should it appear to the magistrate or magistrates before whom any complaint shall be made or tried, that the person or persons complaining hath just ground of complaint, but that such person or persons is or are unequal to the payment of the expenses of the prosecution, that it shall be lawful for the magistrate to certify the same to the commander-in-chief for the time being in this island, who is hereby authorized to direct payment of the same by order in writing out of the treasury of the island; and the treasurer is hereby directed to pay the same to the bearer of such order.

Dated at Saint Christopher, the eighth day of January, in the sixteenth year of the reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith; and in the year of our Lord one thousand eight hundred and twenty.

Magnus Morton, Speaker.

Passed the Assembly this 4th day of January 1820.

John Huggins, Clk. of the Assembly.

Passed the Board of Council this 4th day of January 1820.

John R. Small, Clk Secr.

(L. S.) C. W. MAXWELL.

Published by beat of drum in Charlestown, this 27th day of January 1820.

William Keepe, Dep. Pro. Marshal.

SCHEDULE referred to in this ACT.

JUSTICES FEES.

	£.	s.	d.
For taking information on oath	–	9	–
For a warrant to apprehend, or a summons, including any number of persons	–	9	–
For every warrant or summons for a witness or witnesses, including any number	–	3	–
For hearing a charge of a breach of the peace	–	18	–
For the trial of slaves under a felony	–	18	–
For merely taking a recognizance	–	3	–
For every warrant of commitment	–	9	–
For every supersedeas or discharge from prison	–	3	–
For every certification or notification to other justices	–	3	–
For every warrant for jurors	–	3	–
For attending every trial or examination by jury, each justice	1	16	–
For every certification of sentence of death, each justice	–	3	–
For signing warrant of execution	–	3	–
For every notice of colonial secretary to attend trial, or other notice to any other person not before mentioned	–	3	–
For copy of minutes of proceedings, or other papers, on trial by jury by the secretary, every ninety words	–	2	–
For every certificate thereto	–	3	–
For attending every examination of slaves produced for manumission; for each slave, and to each justice	1	10	–
For every certificate that the slave is not likely to become chargeable to the country	–	3	–
For every certificate thereon	–	3	–
For every deposition, when not for the growth and manufacture of the produce of the country	–	3	–
For every public warrant	–	3	–

CONSTABLES FEES.

	£.	s.	d.
For executing a warrant or summons against any person complained of	–	6	–
For leaving the parish, and executing warrant in another parish; for each	–	6	–
For executing any public warrant in one parish	–	18	–

For

Nevis.

	£.	s.	d.
For summoning each witness - - - - - - - -	–	3	–
For executing warrant on shipboard, including boat-hire - - -	–	18	–
For executing warrant of commitment to gaol; for each person -	–	3	–
For bringing up a prisoner from gaol - - - - - - -	–	3	–
For attending or inflicting corporal punishment on each person at the cage door, or at any place in Charlestown - - - - -	–	3	
For - - ditto - - - ditto - - at the gallows - - - - -	–	3	–
SECRETARY'S FEES on Trial of CRIMINAL SLAVES.			
For attending as clerk of the crown, and performing the duties thereof; each day - - - - - - - - - -	1	16	–
MARSHAL'S FEES.			
For summoning jury - - - - - - - - - - -	1	16	–
For attending trial - - - - - - - - - -	1	16	–

A true Copy of the Original Act.
John R. Small, Colonial Secretary, &c.

NEVIS.

N° 15.—*AN ACT for the Relief of the Negro Population of the Island of Nevis.*

WHEREAS it has been found of late that provisions for the negro population of this island cannot be purchased as heretofore upon credit, and for payment in rum and molasses; and in consequence thereof, and the distressed state of the greater number of the planters of this island, many of the estates have been for some time past, and are likely to continue, without any provisions for their negroes, and are and will be thereby incapable of being worked, to the utter ruin of the holders, and the great loss and injury of the mortgagees and other creditors of the same: And whereas it has become absolutely necessary for the causes aforesaid, and from motives of humanity, immediately to enable the possessors of plantations, who are not able from their own resources to procure the necessary supply of food for their slaves, to purchase the same, by making the plantations, together with the slaves, stock and chattels thereto belonging, and also the ensuing crops thereof, liable in the first place to such debts as shall be contracted solely for the purchase of provisions for the slaves of such respective plantations: We, therefore, Your Majesty's most dutiful and loyal subjects, the Captain-general and Governor in chief of these Your Majesty's islands of St. Christopher, Nevis, Anguilla and the Virgin Islands, and the Council and Assembly of this island Nevis, do pray Your Most Excellent Majesty, that it may be enacted, and be it and it is hereby enacted, by the authority aforesaid, that any debt or demand, accruing by virtue of any contract or agreement made in writing, or any bill of exchange drawn after the first day December, in this present year, by any owner, renter, possessor, mortgagor or mortgagee, in possession, or tenant of any sugar plantation in this island, or in his absence by his attorney, agent or manager, for the purchase of flour, grain of any kind, corn, meal, fish, or any other negro provisions only, such debt or demand and bill of exchange, certified as hereinafter mentioned, shall be deemed and taken the first lien or charge upon the plantations, lands, tenements, and the slaves and stock thereon, and therewith worked and used, for the use of whose slaves such provisions were purchased, and also on the ensuing crops of the same, and shall take precedence of all other debts, charges and incumbrances, notwithstanding such plantations, lands, tenements, slaves and stock shall have been previously mortgaged, or subject to judgments or other charges; and if any of the crops so liable shall be attached or extended for any other debt or demand, the same shall be in the first place liable to pay such debts as shall have accrued and have been secured under the provisions of this act.

And be it enacted, by the authority aforesaid, that in all agreements and contracts for such negro provisions as aforesaid only, which shall be made payable in cash, the seller shall not be obliged to receive produce of any kind, nor shall any tender for the same be a good tender unless made in gold and silver money; and in case any action shall be brought for the recovery of any debt, under and secured by the provisions of this act, the judgment (if the contract or agreement shall have been for

Nevis.

cash, or on a bill of exchange) shall be for gold and silver money, and the secretary or clerk of the court shall enter on the judgment, and also add in the body of the execution, these words, "for gold and silver money, according to the form of the act for the relief of the negro population of this island Nevis;" but where the judgment shall not be for gold and silver money, the words "gold and silver money" shall be omitted in the entry, and no judgment shall have such priority, and be such lien as aforesaid, without such entry as aforesaid; and the same words shall be entered by the marshal in his sale book at the head of the list of the lands, goods, tenements, slaves or chattels sold by him by virtue of any execution under this act.

And be it further enacted, by the authority aforesaid, that the honourable Josiah Webbe Maynard, and Finlay Nicholson esquires, and William Lawrence, Joseph Jones, and Frederick Huggins, esquires, being a joint committee of the board of council and house of assembly, or any three of them, be, and they or any three of them are hereby authorized and required, as soon as may be after passing of this Act, to purchase, either here or elsewhere, any quantity of negro provisions as they may think necessary and requisite for the support of the slaves on the said plantations of this island, not exceeding in value the sum of three thousand pounds sterling, from any person or persons disposed to furnish the same, and who shall be willing to receive in payment the bills certified as hereinafter mentioned; and that the said committee, or any three of them, shall provide proper storehouses in Charlestown, if necessary for receiving such provisions, and may hire vessels and employ some proper person or persons as their agents and clerks to transact the necessary business, and to receive and deliver such provisions and keep the regular accounts.

And be it further enacted, by the authority aforesaid, that the provisions so to be purchased by the said joint committee, shall be by them sold and delivered to every proprietor or possessor, owner, renter or tenant of slaves on any plantation, or in his absence to his attorney or representative, if any such, otherwise to his manager, who shall apply to them for relief under this act, such quantity of provisions as such joint committee, or any three of them, shall in their discretion think adequate to the subsistence of the number of slaves in the possession of the persons requiring such assistance; and that the said committee, or any three of them, shall be authorized to receive in payment bills of exchange drawn by such proprietors, owners, renters, possessors or tenants, or in their absence by their attornies or managers, which bills shall be made payable to such person and persons as the said committee shall direct, or if required, shall be made payable to the order of the drawer or drawers, and shall be then indorsed by such drawer or drawers: provided always, that no bill of exchange, drawn as aforesaid solely in payment of provisions, whether the same shall be delivered to the said joint committee, or any other person, shall be a prior lien or charge on any plantation, slaves, stock or chattels, unless such bill be certified by the said committee, or any three of them, at the foot thereof, in the words following: "Nevis, of 182 . This bill is chargeable as a first "lien upon real and personal estate in Nevis, according to the form of the act, "intituled, 'An Act for the relief of the Negro Population of this Island;'" which certificate shall be signed by the said committee, or any three of them; and if any person or persons shall falsely make and forge, counterfeit, or cause or procure to be falsely made, altered, forged or counterfeited, any certificate in order to defraud any person or persons, or shall alter and publish as true any counterfeited certificate with intent to defraud any person, knowing such certificate to be false, altered, forged or counterfeited, every person so offending, being duly convicted, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

And be it enacted, by the authority aforesaid, that before the said committee shall certify any bill of exchange, the party or parties drawing the same shall make oath in writing, to the effect following; $\left\{\begin{matrix}\text{I, } \mathit{A.\ B.} \\ \text{we, } \mathit{A.\ C.\ \&\ D.\ E.}\end{matrix}\right\}$ do swear, that the bill now exhibited, and for which a certificate is required, has been drawn $\left\{\begin{matrix}\text{by me,} \\ \text{by us,}\end{matrix}\right\}$ and is intended to be delivered to in payment of corn, flour, grain, or other negro provisions solely, and purchased from the said for the use and subsistence of the slaves on [*here describe the plantation by name or otherwise,*] and not for any other use or purpose whatsoever; and that $\left\{\begin{matrix}\text{I am} \\ \text{we are}\end{matrix}\right\}$ wholly incapable of supplying the said slaves with proper and necessary food from any other resources in $\left\{\begin{matrix}\text{my} \\ \text{our}\end{matrix}\right\}$ power: which said oath may be taken before, and the oath administered by, any one of the said joint committee, which said affidavit shall be retained by the said member of the said committee, and lodged with the treasurer of this island; and if any person before any person hereby authorized to administer such oath, shall wilfully make a false oath, being convicted thereof, he shall for every such offence suffer the like punishments as persons convicted of wilful and corrupt perjury in England; and if any person or persons, his or their agents or managers, or servants, shall give away, sell or exchange, or embezzle or make away with any of the provisions purchased under this act, then and in such case every person or persons so offending, shall forfeit for each offence not less than five pounds, or more than one hundred, at the discretion of any two magistrates, who are hereby empowered to hear and determine such offence, one half with full costs to be paid to him who shall inform and sue for the same, the other half to be paid into the public treasury; and in case the fine so imposed shall not be paid or secured to the satisfaction of the said two magistrates, such offender shall be sentenced to imprisonment in the common gaol, for any time not exceeding thirty days, at the discretion of the said magistrates, and no conviction shall be questioned for want of any matter of form; and the offence may be alleged generally, that the said offender had either sold, exchanged, embezzled, or made away with provisions furnished under the act for the relief of the negro population of this island Nevis.

And be it further enacted, by the authority aforesaid, that in case any bill of exchange, so certified by the said joint committee, or any three of them, shall be returned protested for nonpayment, the usual damages of ten per centum and ten per centum per annum interest, as by law established, shall be chargeable thereon, and upon judgment obtained against the drawer, shall and may be levied on the plantations, lands, negroes, stock and chattels which were in the possession of the drawer at the time the said bill was drawn, as owner, renter, possessor, mortgagor or mortgagee in possession, attorney or manager of such owner, renter, possessor, mortgagor or mortgagee in his absence, notwithstanding such drawer may not be in the possession of such tenements at the time of action brought, judgment recovered, or execution levied; and upon all judgments and executions so obtained, the like entry shall be made by the secretary or clerk of the court, as in cases of judgments on contracts by note in writing under the provisions of this act.

And be it enacted, by the authority aforesaid, that in all sales by the provost-marshal or his deputy, or other officer, of lands, tenements, slaves, goods and chattels levied on and sold by virtue of executions issued in pursuance of this act, for gold and silver money or bills of exchange, the provost-marshal, his deputy or other officer, shall notify that the same will be sold for gold and silver money only, and shall receive in payment from the purchasers of the same, gold and silver money only, and shall pay over to the plaintiff in the suit, or his attorney, the levy money, within forty-eight hours after such sale, under the penalty of fifty pounds, to be sued by the party aggrieved, who shall receive the same with full costs of suit, by action of debt, wherein no imparlance or wager of law shall be allowed; and the court of king's bench and common pleas may herein give relief by rule of court, as is usual in cases of officers not complying with the exigencies of writs.

And be it further enacted, by the authority aforesaid, that no contracts or agreements made, or bills of exchange drawn, and bearing date after the first day of December one thousand eight hundred and twenty three, shall be entitled to any of the benefits provided by this act.

Dated at Saint Christopher, the fourth day of December, in the third year of the reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith; and in the year of our Lord one thousand eight hundred and twenty-two.

Magnus Morton, Speaker.

Passed the Assembly this second day of December one thousand eight hundred and twenty-two. *John Huggins*, Clerk of Assembly.

Passed the Council this second day of December one thousand eight hundred and twenty-two. By command. *Benjamin Lord*, Clerk Secretary.

Published by beat of drum this tenth day of December one thousand eight hundred and twenty-two. *Wm Keepe*, Dep. Pro. Mar.

A true Copy. *Benjamin Lord*, Secretary.

(L. S.) CHAS W. MAXWELL.

Saint Vincent

SAINT VINCENT.

N° 16.—*AN ACT to repeal an Act, intituled, "An Act for making Slaves Real Estate, and to ameliorate the condition of Slaves, and for other purposes."*

Preamble

WHEREAS it is expedient that the laws now in force in these Islands, relative to slaves, should be revised, and other provisions enacted to promote their moral and religious instruction, by means whereof their general happiness and comfort may be increased, as far as may be consistent with due order and subordination, and the well-being of these Islands, We, Your Majesty's most dutiful and loyal subjects, Sir Charles Brisbane, Knight, Commander of the Most honourable Military Order of the Bath, Captain-general and Governor in Chief in and over the Island of Saint Vincent and its dependencies, and the Council and Assembly of the same, pray Your Most Excellent Majesty that it may be enacted,

Repeal of all other acts.

Clause 1—And be it, and it is hereby enacted, by the authority aforesaid, that the several acts intituled, "An Act for making Slaves real Estate, and the better "government of Slaves and free Negroes," and an act, intituled, "An Act to "oblige Proprietors and Possessors of Slaves in their own rights or right of others, "Managers and Conductors of Estates, to give in returns of runaways, and punish "Obeah men," and an act, intituled, "An Act to repeal the thirty-ninth and "fortieth clauses of an act, intituled, 'An Act for making Slaves real Estate, and "the better government of Slaves and free Negroes;'" and an act, intituled, "An "Act to explain and amend an act, intituled, 'An Act for making Slaves real "Estate, and the better government of Slaves and free Negroes,'" and an act, intituled, "An Act to repeal the fourth clause of an Act, intituled, 'An Act to "explain and amend an Act, intituled, An Act for making Slaves real Estate, "and the better government of Slaves and free Negroes,' and to amend and re-enact "the same," may be repealed, and the same are hereby repealed accordingly

Slaves real eſtate, and widow's dowable

Executors may inventory slaves.

Clause 2.—And be it further enacted, by the authority aforesaid, that all slaves shall and are hereby declared to be real estate, and not chattels, and shall descend unto the heirs of the person or persons dying seised thereof, according to the custom and manner of inheritance held in fee simple, and widows shall be capable of being endowed thereof; provided always, that any executor or administrator may inventory the said slaves, but not take them into his custody, to the intent that if there be not sufficient goods and chattels to pay the debts of the deceased, the said slaves shall be taken and sold by such executor or administrator for the payment of the said debts, and be chattels to that purpose and not otherwise

Slaves sent off the island without the conſent of reverſioners

Clause 3.—And be it further enacted, by the authority aforesaid, that if any person seised of any slaves, for the term of his her or another life only, or if any widow seised of any slaves of the dower of her husband, shall send off, or directly or indirectly consent to the sending off these islands, or shall sell or dispose of any such slaves, so that they or any of them are sent off these islands as aforesaid, without the lawful consent of him her or them in reversion or remainder, being of full age, and also of the executor or administrator, where they are liable for the payment of debts for the want of other effects, or the trustee or trustees, where they are held for the use of any other, or if any such widow shall marry a husband who shall send off, or consent to the sending off, or to the selling or disposing of any such slaves, so that they are sent off as aforesaid, without the lawful consent of him her or them in reversion or remainder, the executors or administrators of every of them, or trustees as aforesaid, then and in such case the person or persons in reversion or remainder, or the executors or administrators, and every of them, or those who have any trust reposed in them for the use of any other, is and are hereby empowered to have an action or actions at law against such tenant for life, widow or husband, for the recovery of treble the full value of such slaves sent off as aforesaid

Executors may advance debts and legacies to prevent ſale of ſlaves

Clause 4.—And be it further enacted, by the authority aforesaid, that for the better preserving slaves on estates in these islands, and for saving estates from being ruined by the entire recovery of legacies left by testators, and of debts due from their estates, which might with more ease be paid without injuring any person concerned, by the allowance of time for the payment of such debts and legacies after they shall become due, it shall and may be lawful for any devisee, trustee, executor or administrator, not having sufficient effects in his or their hands, belonging to the testator, intestate or trust estate, out of his her or their own monies, to pay and satisfy, or cause to be paid and satisfied, any legacy or just debt, after the same shall become due from the estate, that the slaves may be preserved on the plantation, and be prevented from being levied on and carried from it; and the money which any devisee, trustee, executor or administrator, shall pay and satisfy, or cause to be paid and satisfied, for the discharging such legacies and debts as aforesaid, shall remain charged and secured upon the estate or estates, for the relief of which the same shall be so paid as aforesaid, with interest thereon, at and after the rate of six pounds per cent per annum, until the same be fully paid and satisfied.

Coloured perſons not freeholders.

Clause 5.—And be it further enacted, by the authority aforesaid, that no free black or coloured person, who is now or hereafter may be seised or possessed of any lands, tenements or other freehold, shall be considered or taken as freeholders, for any other purpose whatever than for the enjoyment and protection of the said tenements or freeholds, and of leasing or assigning the same.

Slaves taught principles of religion

Clause 6—And be it further enacted, by the authority aforesaid, that all owners, proprietors and possessors, or in their absence the managers or overseers of slaves, shall, as much as in them lies, promote the instruction of their slaves in the principles of the Christian religion and the moral duties of mankind, and as soon as conveniently can be, shall cause them to be baptized, which ceremony the clergyman of the respective parishes shall perform when required.

No ſhop kept open on Sundays

Clause 7.—And be it further enacted, by the authority aforesaid, that no shop or store shall be kept open on Sundays between the hours of ten o'clock in the forenoon and one o'clock in the afternoon, under a penalty of ten pounds for each offence.

No mills worked between ſeven on Saturday and four on Monday

Clause 8—And be it further enacted, by the authority aforesaid, that during crop, not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mills shall be put about or worked between the hours of seven o'clock on Saturday night and four o'clock on Monday morning, under the penalty of twenty pounds, to be recovered against the proprietor, manager, overseer or other person having the charge of such estate.

Slaves allowed time for meals.

Clause 9—And be it further enacted, by the authority aforesaid, that every field slave, on any plantation or estate, shall on work days be allowed half an hour for breakfast, and two hours for dinner, and that no slaves shall be compelled to any manner of field work, upon any plantation, before the hour of five in the morning, or after the setting of the sun, except during the time of crop, under the penalty of fifty pounds, to be recovered against the proprietor, manager, overseer or other person having the charge of such estate

Chriſtmas day and the two following holydays.

Clause 10.—And be it further enacted, by the authority aforesaid, that all owners, managers or renters of slaves within these islands, shall allow to their slaves, except those necessary about their houses, and stock keepers, Christmas day and the two days next following, for their recreation, and no more or other days during the twelve Christmas holidays; and if any person, owner, renter or manager of any plantation or estate, do not allow their slaves the same days as before mentioned, for their recreation and as holidays, or shall allow them any other or more days in the Christmas holidays than as aforesaid, the person or persons so offending shall forfeit the sum of fifty pounds current money of these islands.

Slaves to have medical attendance

Clause 11.—And be it further enacted, by the authority aforesaid, that every owner or possessor of slaves shall employ some person, duly qualified, to practise physic and surgery, to attend them as occasion shall require; and that when any slave shall be sick or unable from any accident or cause whatsoever to perform his or her usual labour, the said owner or possessor, or his or her attorney or manager, shall cause such slave to be visited by the said medical practitioner, and shall provide such medicines, food and other necessaries as shall be deemed requisite by him, under a penalty of fifty pounds current money for every default, neglect or refusal.

Diſeaſed ſlaves wandering about

Clause 12.—And be it further enacted, by the authority aforesaid, that if any owner or possessor of slaves, or in his absence his attorney or agent, shall wilfully permit and suffer any slave or slaves, blind, diseased, aged or otherwise disabled from working, or having any infectious disorder, to ramble or beg about the towns or country, such person so offending shall, upon conviction, be fined by any two justices of the peace, in any sum not exceeding fifty pounds, nor less than twenty-five pounds current money for each offence, one half whereof shall be paid to the informer, and one half to the public.

Rewards paid for rearing children.

Clause 13—And be it further enacted, by the authority aforesaid, that for every infant slave which shall be born within these islands, and which shall survive

Saint Vincent.

three weeks, the midwife and nurse shall each be entitled to demand and receive one dollar, and if there should be no nurse in attendance, the midwife shall be entitled to demand and receive two dollars; and upon every infant slave attaining the age of fifteen months, the mother thereof shall be entitled to demand and receive six dollars, and upon every such infant being incorporated in the grass or vine gang, the mother or person nursing the infant shall be entitled to demand and receive the further sum of two dollars; the said several premiums or sums of money shall in the first instance be paid by the owner or owners, or person or persons having the direction of the said slaves, but shall be deducted by him or them so paying the same from the public taxes, which shall become due and payable by the owner or owners, possessor or possessors of the said slaves, next after the payment by him or them of the said several sums of money, and the amount thereof charged by the treasurer against the public.

Slaves having ſix children exempt from hard labour.

Clause 14.—And be it further enacted, by the authority aforesaid, that every female slave who shall have six children living, or who having raised from infancy and during the period of nurture a child or children of deceased mothers, and which shall continue to live with her as her adopted child or children, shall have of her own and of such so raised and adopted child or children six children living, shall only be employed in light labour, in the field or otherwise; and the owner or possessor of every such female slave shall be exempted from all manner of taxes for such female slave, any thing in the act commonly called the Poll Tax Act, or any other of the tax acts of these islands, passed or annually to be passed, to the contrary notwithstanding; and a deduction shall be made for all such female slaves from the taxes of such owner or possessor, upon the certificate of the justice taking the annual returns, that proof was given on oath to his satisfaction, not only that the requisite number of children, together with the mother or adopted mother, are living, but also that the mother had been employed in light field or other labour, and was provided with the means of an easy and comfortable maintenance.

Manumiſſions.

Clause 15.—And be it further enacted, by the authority aforesaid, that all manumissions of any slave or slaves, duly executed and recorded in the register's office of these islands, shall be good valid and effectual conveyances in the law, to all intents and purposes whatsoever; and the register of deeds, or his lawful deputy, shall publish the names of the parties executing the deed, and the names of the slave or slaves thereby manumitted, in three successive Gazettes or other newspapers published next after the acknowledgment of such manumission, at the expense of the party recording the deed: provided always, that no owner or possessor of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor or otherwise, shall manumit any such slave or slaves on account or by reason of such slave or slaves being rendered incapable of labour or service to his, her or their owner or possessor, by means of sickness, age or infirmity of mind or body, under the penalty of two hundred pounds, to be recovered before any two justices of the peace, and upon conviction to be levied by warrant under their hands and seals, directed to the provost-marshal-general, or his lawful deputy, which fine shall be paid to the treasurer, or his lawful deputy, who is hereby empowered and directed to allow to each of the said slave or slaves so made free the sum of twenty pounds per annum, to be paid quarterly, for his or her maintenance and support during life.

Detaining free perſons in ſlavery, fined.

Clause 16.—And whereas advantages may be taken of the ignorance of persons who may have been imperfectly manumitted, in order to detain them in slavery, be it further enacted, that any person or persons who shall knowingly or wilfully keep or detain, or cause to be kept or detained, or connive at or assist in the detention of any person or persons whatsoever in slavery, who shall be entitled to freedom, he, she or they, upon the freedom of such person or persons being established, either by the judgment of any court, or by the execution of any deed or will, or any other satisfactory proof to be produced before any two justices of the peace, shall forfeit and pay to such person or persons so detained treble the amount of any hire that such person or persons would have produced during the time he she or they were so detained in slavery, the rate of which hire shall be settled by the said justices, to be levied on the goods chattels and slaves of the offender or offenders, by a warrant under the hands and seals of two justices, directed to the provost-marshal-general, or his lawful deputy.

Killing ſlave, felony.

Clause 17.—And be it further enacted, by the authority aforesaid, that if any person shall wantonly, wilfully or maliciously kill or cause to be killed any slave, such person so offending shall, on conviction, be adjudged guilty of felony, without

out the benefit of clergy, and shall suffer death accordingly; and if the slave so killed shall be the property of any other person or persons, or if any person or persons shall have any interest whatsoever in the said slave, the real and personal estate of the person convicted of the said offence shall be subject to and is hereby charged with payment of treble the value of the slave killed, unto the proprietor or unto such person or persons entitled to any remainder or reversionary interest therein, or unto any executor or administrator entitled to claim the slave for the payment of debts: provided always, that such conviction shall not extend to the corruption of blood or the forfeiture of lands or tenements, goods or chattels, except as is hereinbefore excepted.

Slaves not to receive more than ten ſtripes.

Clause 18.—And be it further enacted, by the authority aforesaid, that in order to restrain arbitrary punishment, no slave on any plantation or estate shall receive more than ten stripes at one time, and for one offence, *unless* the owner, attorney, guardian, executor, administrator or manager of such plantation or estate, having such slave under his care, shall be present; and no such owner, attorney, guardian, executor, administrator or manager, shall on any account punish a slave with more than thirty-nine stripes at one time, and for one offence, nor inflict or suffer to be inflicted such last-mentioned punishments, nor any any other number of stripes in the same week, nor until the delinquent has recovered from the effects of any former punishment, under a penalty, not less than fifteen pounds, or more than thirty pounds for every offence, to be recovered against the person directing or permitting such punishment, in a summary manner, before any two justices of the peace; and upon conviction, to be levied by their warrant, directed to the provost-marshal-general, besides being subject to be prosecuted by indictment in the court of grand sessions of the peace of these islands, as for an offence against this act.

No chains or collars without directions

Clause 19.—And be it further enacted, by the authority aforesaid, that no person shall on any pretence whatsoever, punish any slave, whether his own property or otherwise, by fixing or causing to be fixed, an iron or other collar round the neck of such slave, or by loading the body or limbs of such slave for any offence whatsoever, with chains or weights of any kind, other than a light collar without hooks, to indicate that such a slave is an incorrigible runaway, or one accustomed to commit depredations on the grounds of the other slaves, and which collar shall only be put on by the direction of a justice, on due proof of the offence, under a penalty not less than five pounds, nor exceeding fifty pounds, to be recovered in a summary manner, before any two justices of the peace; and all and every the justices of the peace are hereby authorized and required, under the penalty of one hundred pounds, on information and view of such offence, to order such collar, chains, irons or weights to be immediately taken off from the slave or slaves wearing and bearing the same, save and except slaves committed to the gaol or cage.

Two juſtices to inquire into ſlave complaints

Clause 20.—And be it further enacted, by the authority aforesaid, that in case any justice of the peace shall receive any complaint or probable intelligence from any slave or otherwise, that any slave or slaves has or have been wantonly or improperly punished or confined, contrary to the true intent and meaning of this act, it shall and may be lawful to and for such justice to associate one other justice with him, and to issue their warrant, to any constable, ordering him immediately to proceed to the place where such slave or slaves are or is confined, and to release and bring him, her or them before the justices, who are hereby authorized to commit the said slave or slaves to the gaol, until inquiry shall be made into the facts; and if upon such inquiry it shall be found that the said complaint is true, it shall be the duty of the said justices, and they are hereby required to prosecute the offender according to law; but if it shall appear that such complaint was groundless, the said justices shall punish the complainant, and the person giving information thereof, if a free person, by imprisonment not exceeding ten days, and if a slave, by any number of stripes not exceeding thirty-nine, and commitment to hard labour for a period not exceeding ten days; and the costs and charges of the prosecution shall be paid by the treasurer, or his lawful deputy, in case the owner or owners of the slave or slaves shall not be capable of paying them, upon the certificate of the president of the court to that effect.

Cruelty towards ſlaves puniſhed.

Clause 21.—And be it further enacted, by the authority aforesaid, that if any owner, possessor or other person whatsoever, shall at his, her or their own will and pleasure, or by his, her or their direction, or with his, her or their knowledge, sufferance, privity or consent, wantonly or cruelly whip, maltreat, beat, bruise, cut, wound or imprison, or keep in confinement without sufficient support, any slave or slaves, he, she or they shall be liable to be indicted for such offence and upon conviction

Saint Vincent.

shall be punished by fine not exceeding one hundred and fifty pounds, or imprisonment not exceeding twelve months, or both, for each and every slave so wounded, punished, or confined as aforesaid; and such punishment is declared to be without prejudice to any action that may be brought for the recovery of treble the value of such slave or slaves, for or on account of the same, in case such slave or slaves shall not be the absolute and entire property of the offender; and in atrocious cases, where the owner of such slave or slaves shall be convicted of such offence, the court are hereby empowered, in case they shall think it necessary for the future protection of such slave or slaves, to declare him, her or them free and discharged from all manner of servitude whatsoever, and to order and direct the said one hundred and fifty pounds to be paid to the treasurer, or his lawful deputy, who shall pay to each of the said slave or slaves so made free, the sum of fifteen pounds per annum, for his or her maintenance and support during life.

Detaining other perſons ſlaves puniſhed.

Clause 22.—And whereas persons who illegally detain the slaves of others, and employ them in their service, do it so cunningly and secretly that evidence by white or free persons cannot be had against them; be it further enacted, by the authority aforesaid, that upon suspicion of any illegal detaining or employing, any justice of the peace shall and is hereby required, upon application, to issue a summons to the party accused, and any witnesses required by either party, requiring him her or them to attend at a certain day to answer the premises, directed to a constable; and on the trial such justice shall and may examine the person or persons accused, and all the witnesses, on his her or their oaths, concerning such illegal detaining or employing, and if confessed by the party or parties accused, or proved by any other evidence, such justice shall give judgment for the party injured, to recover, as hereinafter directed, any sum under twenty pounds; and if any white or other person so suspected or charged, being summoned, shall refuse or neglect to attend, or, attending, shall refuse to answer on oath the interrogatories of the said justice touching his or her offence, or answering shall confess such offence, then and in such case his or her absence, silence or confession shall be deemed equal proof of his or her guilt, and the said justice shall give judgment against him or her as hereinbefore directed; but should it appear to the justice that the information is groundless or malicious, then and in that case the informer (if a slave) shall be punished with any number of stripes not exceeding thirty-nine, at the discretion of the said justice; and the justice, giving judgment, shall make a record of his proceedings, and return it into the office of the clerk of the crown, under his hand and seal, and the complainant or party injured may sue forth execution thereon after the expiration of three days from giving judgment, by a warrant under the hand and seal of the clerk of the crown of this island, or his lawful deputy, directed to the provost-marshal, or his lawful deputy, to be levied upon the goods and chattels of the offender, which shall be immediately carried to the next town, and sold at public sale, at the expense of the offender or offenders, to satisfy the debts and costs; and in default of sufficient goods and chattels of the offender being found for the purpose aforesaid, he she or they shall be taken and imprisoned upon such execution, until satisfaction be made of the judgment, and all fees; and the justice, for hearing the trial, and making out the record, shall be authorized to demand and receive twelve shillings, and no more, and the clerk of the crown shall also be entitled to receive one shilling and sixpence for filing, and three shillings for the execution, and the marshal, or his lawful deputy, six shillings for executing the warrant upon the body of such offender, in default of goods and chattels, and if levied on goods and chattels, then he shall, besides the said six shillings, be entitled to eighteen pence in the pound for levying and selling; and such recovery before a justice of the peace shall be a bar to any further prosecution for the same offence.

Fees allowed to juſtices and others.

Witneſſes not attending.

Clause 23.—And be it further enacted, by the authority aforesaid, that any person or persons whatsoever, being duly summoned as aforesaid, for the space of twenty-four hours, to attend at the day of trial as witnesses, shall neglect to attend, he she or they shall for such neglect forfeit ten pounds current money, to be recovered before any one justice of the peace, and levied by his warrant, directed to the provost-marshal-general, on the goods and chattels of the offender, and sold, as last mentioned, to the use of the party complaining; and then another day, on such failure of the attendance of any material witness summoned, shall be granted for trial, on the complainant desiring such further day, and on his paying such fees and costs down for such further day, as the justice and others shall be entitled to.

Proſecution of perſons detaining.

Clause 24.—And be it further enacted, by the authority aforesaid, that any person who shall take up any slave or slaves belonging to another, and shall keep the said

slave

Saint Vincent.

slave or slaves in his or her custody or possession longer than forty-eight hours, without sending the said slave or slaves to the owner or owners thereof, if he or she can any way know him her or them (or without delivering the said slave or slaves to the provost-marshal-general, or his lawful deputy,) shall forfeit and pay for every day each slave (not being of any trade) is kept or entertained by him or her after the first forty-eight hours twelve shillings, but if the slave detained be of any trade, then the person detaining him shall forfeit twenty-four shillings each day he or she shall so detain such slave; and if the forfeiture incurred by such detention be under twenty pounds, the same may be recovered before any justice of the peace, to be levied on the goods and chattels of the person offending, and in default thereof, on his her or their person or persons; but if the forfeiture so incurred be above twenty pounds, then the same may be recovered by an action of debt at common law, in which no protection or wager of law shall be allowed.'

Enticing away ſlaves and carrying off.

Clause 25.—And be it further enacted, by the authority aforesaid, that any white or free person or persons who shall inveigle entice or seduce any slave or slaves out of the custody of his or her or their owner or possessor, by any encouragement or inducement whatsoever, shall be liable to the same penalty for every day the said slave or slaves by such means or procurement shall be absent from their owner or possessor, as in the case of entertaining a runaway for longer than forty-eight hours, and to be recovered after the same manner; and every person, whether white, free or a slave, who shall violently and by force, or otherwise, take any slave or slaves out of the plantation or custody of his or their owner or possessor, shall be deemed guilty of felony, and shall be indicted, and shall suffer as in cases of felony; and any person or persons, whether white, free or a slave, who shall inveigle or entice away from his or their owner or owners any slave or slaves, and shall carry or endeavour to carry such slave or slaves off these islands, shall be deemed guilty of felony without benefit of clergy.

Slaves abſent five days or eight miles a runaway.

Clause 26.—And whereas it is very dangerous to the peace and safety of these islands to suffer slaves to continue out as runaways, and it is absolutely necessary to declare and make known what slaves shall be deemed such; be it therefore enacted, by the authority aforesaid, that any slave or slaves who shall be absent from his her or their owner or employer without leave, for the space of five days, or who shall be found at the distance of eight miles from the house, plantation or estate to which such slave or slaves shall belong, without a ticket or other permit to pass, except as hereinafter is excepted, in going to and returning from market, shall be deemed a runaway.

Harbouring runaways.

Clause 27.—And be it further enacted, by the authority aforesaid, that when a slave shall be runaway from the service of his or her owner or employer, every other slave who knowing such slave to be runaway, shall entertain, harbour, receive or conceal, or any way aid, assist or comfort, afford or give sustenance to him or her, shall upon conviction thereof before any justice of the peace, for the first offence be publicly whipped with any number of stripes, not exceeding thirty-nine; and if it shall happen that any offender or offenders shall be convicted the second time of the like offence, he she or they, upon such second conviction, shall be adjudged to be publicly whipped with any number of stripes, not exceeding fifty, and so in proportion for each subsequent offence.

Taking up runaways, how to proceed.

Clause 28.—And be it further enacted, by the authority aforesaid, that any person who shall take up a runaway slave, and knowing the owner or possessor thereof, is hereby directed within forty-eight hours, either to give such owner or possessor notice thereof, or to send home the said slave, if the distance does not exceed eight miles, and if the distance does exceed eight miles, it shall be at the option of the person taking up such runaway, either to give such notice as aforesaid, or to send such runaway to the owner or possessor or to the common gaol, and the owner or possessor of such slave, or the provost-marshal-general or his deputy, if such slave be sent to gaol, shall pay to the person taking up such slave, the sum of twelve shillings, and twelve pence per mile for the distance sent, and if the owner or possessor of such runaway shall refuse to pay the above reward and charges if sent to him or her, then such runaway shall be sent to the common gaol, and the provost-marshal-general, or his lawful deputy, is hereby directed to pay the same reward and charges for bringing in the said runaway, at the rate of twelve pence per mile, and also the sum of forty shillings over and above the said reward and charges; and if such owner or possessor of such runaway shall detain such runaway in his or her possession, without paying the reward and charges as aforesaid, the same, together with the penalty of forty shillings for such detainer and refusal, shall be recovered

Saint Vincent.

in a summary manner, before any one justice of the peace, by warrant under his hand and seal, complaint being first made on oath before him, and the owner or possessor of such runaway being first summoned to attend to answer the complaint aforesaid, and having at least forty-eight hours notice for such attendance.

Search warrants for runaways

Clause 29.—And be it further enacted, by the authority aforesaid, that it shall and may be lawful for any justice of the peace, and he is hereby authorized and required upon complaint made to him on oath, that any slave or slaves are runaway, and have absented themselves from the service of their owners or employers, and at the request of their owners or employers, or their attornies, and not otherwise, to grant a warrant to search for and apprehend all such runaway slaves, as also such slaves as the complainant shall have just cause to suspect to be guilty of wilfully entertaining, harbouring or concealing such runaway slaves, and to bring them before such justice, to be dealt with according to law for their offences; and it shall and may be lawful for any person or persons so authorized by warrant as aforesaid, to enter any negro house or houses by day or night, to search for any slave or slaves, having first given notice to the master, owner, manager or overseer on the plantation to which such house or houses belong, and after such warrant obtained and notice given as aforesaid, to break open the door or doors of such negro houses into which admittance shall have been refused.

Marſhal to receive runaways.

Clause 30.—And be it further enacted, by the authority aforesaid, that the provost-marshal-general, or his lawful deputy, shall receive all runaways into his custody, and if brought by a slave, to be accompanied by a note from a white or free person, which note the marshal shall produce if required; and the said provost-marshal-general, or his lawful deputy, shall keep the said slave or slaves in safe custody, and shall affix a list of the names of such runaway slaves in his custody on the court-house door, and shall further cause an advertisement to be inserted in the public gazette of this island, within six days next after receiving each slave into the common gaol, containing the name or names of such slave or slaves in his custody, the names of the owner or owners if known, but if not known, an exact description of the person of such slave or slaves, which advertisement shall be republished once in every month, whilst such slave or slaves shall continue in gaol, and not oftener.

Marſhal's fees, and proceedings on ſale of runaways

Clause 31.—And be it further enacted, by the authority aforesaid, that the provost-marshal-general, or his lawful deputy, shall be entitled to and be paid six shillings for taking such slave into his custody, and two shillings each twenty-four hours the slave shall continue in prison, for his maintenance; and upon the delivery of any slave to the owner or possessor of the same, he shall be paid the further sum of six shillings besides the twelve shillings for taking up, and one shilling per mile, and the forty shillings penalty, which the bringer of the said slave shall have received from him; and if any slave or slaves shall continue in prison for three months after the proper publications as aforesaid, such slave or slaves shall be taken out and sold at public sale for the fees, by order of two justices of the peace, and the overplus, if any there be, after paying the aforesaid fees, and all the abovementioned charges, together with five pounds per centum commission on the sale, shall be returned to the owner, or if such owner be unknown, to the treasurer for the time being, to remain to the use of the public until the owner shall appear; and the provost-marshal-general, or his lawful deputy, shall be obliged upon oath to account and pay over once in every year at least unto the treasurer for the time being all such sums of money as he shall have received on account of the sales of such slaves, under the penalty or forfeiture for every neglect or default the sum of one hundred pounds current money.

Marſhal, how proceeded againſt.

Clause 32.—And be it further enacted, by the authority aforesaid, that in case the provost-marshal or his lawful deputy shall refuse to pay the bringer of any runaway the several sums of money hereinbefore directed to be paid, or shall refuse to receive the said slaves so brought, or shall neglect or refuse to put up and publish his her or their names, or shall wilfully or negligently suffer any runaway received by him to escape, or shall employ him in any work, or shall refuse to deliver any runaway to his owner or possessor on tender of his legal fees, and all disbursement, for every such offence the provost-marshal-general or his lawful deputy shall forfeit and pay the sum of ten pounds current money, to be levied on his goods and chattels by a warrant under the hand and seal of any justice of the peace, to be directed to the coroner; and if any slave or slaves in the custody of the provost-marshal-general shall perish from want or neglect, he shall forfeit and pay the full value of the slave to the owner thereof, to be recovered in the manner hereinbefore mentioned, and shall moreover be subject to an indictment for such offence.

Clause

Saint Vincent

Runaways, how proceeded againſt.

Clause 33.—And be it further enacted, by the authority aforesaid, that if any slave shall run away from his or her owner or possessor, and continue absent for a term exceeding six months, such slave being convicted thereof, shall be sentenced to be confined to hard labour for such time as the court shall direct, or be transported for life, according to the magnitude of the offence; and if any slave shall run away as aforesaid, and continue absent for any term not exceeding six months, such slave shall be liable to be tried before two justices of the peace, and upon conviction thereof shall, for the first offence, suffer such punishment, by whipping, or confinement to hard labour, not exceeding three months, as the said two justices shall think proper to direct; but if the said slave hath frequently run away, and is by his owner or possessor declared to be an incorrigible runaway, he shall be committed to be tried as if he or she had been run away from his or her said owner or possessor and continued absent for a term exceeding six months; and such slave being convicted thereof, shall be sentenced to hard labour, or be transported for life, as the court shall direct.

Runaways going off the iſland, or ſtealing a boat

Clause 34.—And whereas several slaves have found means to desert from their owners and depart from these islands, to the great damage of such owners and evil example to other slaves: And whereas there is reason to believe that such slaves have been aided and assisted in such escape and departure by other persons, and there is not any adequate punishment provided by law for such desertion or departure, or conspiring to desert or depart from these islands, or for persons aiding, assisting or abetting such deserters; for remedy whereof, be it further enacted, by the authority aforesaid, that if any slave shall run away from his her or their owner or owners, employer or employers, and go off, or conspire or attempt to go off from any of these islands, in any ship, boat, canoe, or other vessel or craft whatsoever; or shall aid, abet or assist any other slave or slaves in such going off these islands, he she or they so running away and going off, or conspiring or attempting to go off, or so aiding, assisting or abetting in such going off, being thereof convicted, shall be deemed guilty of felony without benefit of clergy, and shall suffer death accordingly. And if any slave or slaves shall seize, take and carry away, or cause, procure, persuade or entice any other slave or slaves to seize, take and carry away from these islands, or any of them, any ship, boat, canoe, or other vessel or craft whatever, or shall embark on board any ship, boat, canoe, or other vessel or craft whatever, with intent to seize, take or carry away the same, and shall be duly convicted of the said offence, he she or they shall likewise be adjudged to be guilty of felony without benefit of clergy, and shall suffer death accordingly.

Perſons aiding the ſame

Clause 35.—And be it further enacted, by the authority aforesaid, that if any white or free coloured person, Indian or free negro, shall knowingly aid, assist or abet, any slave or slaves in so going off these islands, and shall be convicted thereof in the court of grand sessions of the peace in this island, such white or free coloured person, Indian or free negro, shall be forthwith transported off these islands, by the provost-marshal-general or his lawful deputy, into whose custody such person or persons shall be committed; and if such person or persons so convicted, sentenced and transported, shall be afterwards found at large in these islands, he she or they, on proof of his her or their identity before the said court of grand sessions of the peace as aforesaid, shall suffer death without benefit of clergy.

Acceſſaries proceeded againſt before principal

Clause 36.—And be it further enacted, by the authority aforesaid, that it shall and may be lawful to proceed against the person or persons so aiding, assisting or abetting any slave or slaves in going off these islands, whether the principal or principals be convicted or not, any thing in this or any other act, law, custom or usage to the contrary notwithstanding.

Freedom claimed by runaways inveſtigated.

Clause 37.—And be it further enacted, by the authority aforesaid, that in case any negro, or other person sent in and detained in the common gaol as a runaway slave, shall allege himself or herself to be free, it shall be the duty of any justice of the peace, upon application made to him, to convene a meeting, consisting of not less than three justices of the peace, within ten days after such application, and of which meeting, and of the time and place of holding the same, due notice shall be given in the several newspapers of this island; and the said justices shall investigate, inquire into and examine the truth of such allegation; and if it shall appear to such meeting that such person so detained as a runaway slave is free, such person shall be forthwith discharged; and in case it shall appear to

Saint Vincent.

such meeting that such person is a slave, he or she shall be remanded to the common gaol: provided always, and it is hereby declared, that the decision of such justices shall be without prejudice to the prosecution of the right and title of any person to such runaway, or to the prosecution by such person detained as a runaway, of his or her right or title to his or her freedom, or for damages for his or her illegal detention or imprisonment against the person or persons causing the same.

Not to be ſold without certificate of juſtices.

Clause 38.—And be it further enacted, by the authority aforesaid, that no negro or other person detained as a runaway slave or slaves so claiming their freedom as aforesaid, shall be sold by the provost-marshal-general until such meeting of justices has been convened and held, and such investigation, inquiry and examination had, and without the same being certified by the justices attending such meeting, under their hands and seals, and filed with the clerk of the crown, at the public expense; and the sale of any runaway slave or slaves so claiming their freedom, made without such certificate being obtained, shall be and the same is hereby declared to be null and void to all intents and purposes whatsoever.

No ſlave to travel without a ticket.

Clause 39.—And be it further enacted, by the authority aforesaid, that no slave, such only excepted as shall attend the market with firewood, grass, fruit, provisions or small stock, and any other goods which they may lawfully sell, shall be permitted or suffered to go out of the plantation or estates of his or her owner or employer, or to travel from one town or place to another, unless such slave shall have a ticket from his or her owner, employer or manager, expressing particularly the time of the departure of such slave, and where he or she is going, and the time limited for his or her return, under a penalty not exceeding forty shillings for every slave so offending, to be recovered from the owner, employer or manager, in a summary manner, before any one justice of the peace, by warrant under his hand and seal, upon complaint being made to him upon oath, unless the owner, employer or manager of such slave shall make oath before such justice of the peace that he gave the said slave such ticket as aforesaid, or that such slave went away without his consent, in which case the justice shall convict such slave as a runaway, and proceed as hereinbefore directed in such cases; and if such justice shall refuse or neglect to do his duty in causing the penalty to be forthwith levied on the owner, employer or manager, or any other person who shall suffer a slave, being under his her or their direction, to go without a ticket as aforesaid, every justice so offending shall forfeit the sum of five pounds, to be recovered against him in any court of record; and no ticket shall be granted to any slave or slaves for any time exceeding one calendar month.

Giving tickets improperly, puniſhed.

Clause 40.—And whereas, the more effectually to protect runaway slaves, tickets are given by whites, free negroes or coloured persons, be it further enacted, by the authority aforesaid, that any white person, free negro or coloured person, granting or giving such ticket in their own name, or in the name or names of any other person with such intent, shall be liable to be tried for the said offence before the court of grand sessions of the peace in this island, and on conviction shall suffer transportation, fine or such other punishment as the court shall direct, not extending to life.

Slave killed in purſuit of runaways paid for

Clause 41.—And be it further enacted, by the authority aforesaid, that if the slave of any person shall be killed in pursuing runaways or slaves charged with other crimes, by the order of his owner, employer or manager, or any other lawful order, the slave slain shall be paid for by the public, and the value settled by any two justices of the peace.

Nightly meetings prevented, owner or managers permitting them impriſoned.

Clause 42.—And whereas dances and other nightly meetings of slaves are highly injurious to their health and morals, be it therefore enacted, by the authority aforesaid, that if any owner, manager or overseer shall permit or suffer any slave or slaves to hold any assembly or meeting of slaves at any time for the purpose of dancing or for any other purpose, after the hour of ten o'clock at night, or shall permit or suffer any drums, horns or shells to be beat or sounded upon any plantation or estate, or in any yard, house or place under his or her care or management; or if such meetings shall be held, or such drums, horns or shells beat or sounded, without his or her privity or knowledge, and he or she shall not use his or her utmost endeavour to prevent the same, either by his or her own power or authority, or in case of necessity, by timely application to one of His Majesty's justices of the peace for the assistance of the civil power, such owner, manager, overseer or other person so offending, shall for every such offence, upon conviction thereof, upon an indictment in the court of grand sessions of the peace, suffer imprisonment, without bail or mainprize, for any term not exceeding six calendar months, provided information is made upon oath as aforesaid, before one of His Majesty's justices of the peace, within fourteen days after the commission of such offence; but nothing herein contained shall be construed to prevent any owner or proprietor of any plantation or estate, or the manager thereof, from granting liberty to the slaves of such plantation or estate only to assemble together upon such plantation or estate, and play and divert themselves in any innocent amusements, so as they do not make use of military drums, horns or shells, but they shall and may grant such liberty when and as often as they please, provided that such amusements are put an end to by ten of the clock at night.

Free perſons ſuffering unlawful aſſemblies, or attending them, puniſhed

Clause 43.—And be it further enacted, by the authority aforesaid, that if any Indian, free negro, coloured or white person, shall hereafter suffer any unlawful assembly of slaves at his or her house, or adjoining their place of abode, or shall attend any such assembly elsewhere, every such Indian, free negro, coloured or white person, shall, upon due conviction thereof, before any court of sessions, suffer punishment by fine, not exceeding one hundred pounds, or imprisonment, not exceeding six months: provided nevertheless, that information thereof shall be given on oath, within fourteen days after such unlawful meeting.

Slaves forming ſettlements puniſhed

Clause 44.—And whereas camps and settlements are established by runaways and others, which are of dangerous tendency, be it further enacted, by the authority aforesaid, that all slaves who shall or may establish any camp or settlement, unknown to his, her or their owner or employer, shall be liable to be apprehended, and if convicted thereof, he, she or they shall be deemed guilty of felony, without benefit of clergy, and suffer death accordingly.

Slaves adminiſtering oaths, or reſiſting perſons apprehending them

Clause 45.—And whereas it is necessary to prevent secret and unlawful meetings of slaves, be it further enacted, by the authority aforesaid, that all and every slave or slaves who shall be found at any meeting formed either for the purpose of administering unlawful oaths, or entering into unlawful compacts, or of learning the use of arms, or opposing or resisting any persons employed to apprehend them, or for any other unlawful or dangerous purpose, such slave or slaves shall, on conviction thereof, be deemed guilty of felony, without benefit of clergy, and suffer death or transportation for life, as the court shall direct; and if any person or persons whether white or of free condition, shall be present at any such meeting, and aiding and assisting in any of the unlawful purposes before mentioned, such person or persons shall, upon conviction thereof, in the court of grand sessions of the peace, be punished by death, transportation off these islands for life, or fine or imprisonment, or both, as the court shall direct; and if any person or persons having any knowledge of such unlawful meetings as aforesaid, shall not give information forthwith thereof, to a justice of the peace, such person or persons shall, on conviction before the court of grand sessions of the peace, suffer such punishment by fine or imprisonment, or both, as the court shall direct.

Having arms in their poſſeſſion

Clause 46.—And be it further enacted, by the authority aforesaid, that if any slave or slaves shall be found to have in his her or their custody or possession, any firearms, pikes, sabres, swords, cutlasses, lances, gunpowder, slugs or ball, without the knowledge of his her or their owner or possessor, or his her or their possessor, or his her or their manager, such slave or slaves shall be taken before two justices, who shall, if they are of opinion that the same was with evil intent, commit such slave or slaves to the gaol, to be tried as hereinafter directed, and upon conviction, the said slave or slaves shall suffer transportation, imprisonment, or such other punishment as the court shall direct.

Obeah practices puniſhed.

Clause 47.—And in order to prevent the many mischiefs that may arise from the wicked art of negroes and other persons going under the appellation of obeah men and women, be it further enacted, by the authority aforesaid, that any person, whether free or slave, who shall pretend to use any supernatural power, for any evil purpose whatsoever, or shall use or pretend to any such practices with an intent or so as to affect or endanger the life or health of any slave or other person, shall upon conviction thereof be deemed guilty of felony, without benefit of clergy, and shall suffer death accordingly.

Poiſoning perſons

Clause 48.—And be it further enacted, by the authority aforesaid, that if any person whatsoever, whether free or slave, shall mix or prepare, with an intent to give

Saint Vincent.

or cause to be given, any poison or poisonous or noxious drug, pounded glass, or other deleterious matter, in the practice of obeah or otherwise, although death may not ensue on the taking thereof, the said person or persons, together with their accessaries, as well before as after the fact, being duly convicted thereof, shall be deemed guilty of felony, without benefit of clergy, and shall suffer death accordingly.

Obeah or poiſon found on perſons.

Clause 49.—And be it further enacted, by the authority aforesaid, that if there shall be found in the possession of any person or persons, whether free or slave, any poisonous drug, pounded glass, or other materials, notoriously used in the practice of obeah, such slave or other person upon conviction shall be deemed guilty of felony, and shall suffer transportation from these islands, or such other punishment not extending to life as the court shall direct.

Slaves preaching puniſhed.

Clause 50.—And whereas the practice of ignorant, superstitious or designing slaves attempting to instruct others, has been attended with the most pernicious consequences, be it further enacted, by the authority aforesaid, that any slave or slaves found publicly preaching or teaching any religious subject, shall upon due proof thereof be punished in such manner as any two justices may deem proper, by whipping or imprisonment.

Taking 20 s. by force, or breaking into houſe and ſtealing to the value of 6 l. felony.

Clause 51.—And be it further enacted, by the authority aforesaid, that if any slave shall feloniously and forcibly take from the person of another, whether a slave or free, goods or money to the value of twenty shillings current money, by violence or putting him or her in fear, he or she shall be guilty of felony without benefit of clergy; and if any slave shall break or enter, in any manner whatsoever, into any mansion-house, shop, works, negro-house, or other outhouse, and take and carry therefrom goods or money to the value of six pounds current money, he or she shall be guilty of felony without benefit of clergy.

Striking whites or free perſons.

Clause 52.—And be it further enacted, by the authority aforesaid, that if any slave shall assault or offer violence by striking, or otherwise, to or towards any white person or persons of free condition, such slave shall, upon conviction thereof, be punished by transportation or confinement to hard labour for life, or for a limited time, or such other punishment, according to the nature of the offence, as the court shall in its discretion think proper to inflict; and in case any white person or persons of free condition shall be maimed, injured or mutilated in body by any slave or slaves as aforesaid, then such slave or slaves, being duly convicted thereof, shall be deemed guilty of felony without benefit of clergy, provided such assault or violence be not by the command of his or their owner, manager or person entrusted with the charge of them, or in the lawful defence of the person or goods of their owner.

Slaves uſing defamatory language.

Clause 53.—And be it further enacted, by the authority aforesaid, that if any slave or slaves using any defamatory language or words of abuse, tending to provoke a breach of the peace, towards any person or persons whatsoever, shall and may be punished by any justice of the peace, upon due proof of the same, by whipping or imprisonment, provided that the complaint be made to such justice within two days after the offence hath been committed.

Slaves maiming ſlaves.

Clause 54.—And be it further enacted, by the authority aforesaid, that if any slave or slaves shall, by wantonly or cruelly cutting, chopping, striking, or by any other manner or way whatsoever mutilate, disfigure, dismember or injure any slave or slaves, so as to endanger life, although death shall not ensue, or that such slave or slaves shall become a cripple, or lose any of his or her limbs, or be deprived of the use thereof, all and every such slave or slaves so offending shall be tried by the court of sessions, and upon conviction shall, for the first offence, suffer such punishment, not extending to life, as the court shall direct, according to the circumstances of the case, and for a second offence, upon conviction, shall suffer death or transportation for life, as the court shall direct; and where one slave murders another, the price paid by the public, on executing the murderer as hereafter directed, shall be equally divided between the owner of the offender, and the owner of the slave slain.

Slaves fighting puniſhed.

Clause 55.—And be it further enacted, by the authority aforesaid, that all slaves that shall be taken fighting, or who shall draw a knife or cutlass, either in assaulting another or in his own defence, shall be publicly whipped by order of a justice of the peace; and if in Kingstown or Calliaqua, by order of any town warden, with any number of stripes not exceeding thirty-nine.

Clause

Saint Vincent.

Stealing cattle.

Clause 56.—And be it further enacted, by the authority aforesaid, that if any slave shall steal any horned cattle, sheep, goat, hog, horse, mare, mule or ass, or shall kill any such horned cattle, sheep, goat, hog, horse, mare, mule or ass, with intent to steal the whole carcass of any such horned cattle, sheep, goat, hog, horse, mare, mule or ass, or any part of the flesh thereof, such slave shall, on conviction thereof, suffer death, transportation or such other punishment as the court shall direct.

Having meat or fleſh in their poſſeſſion

Clause 57.—And be it further enacted, by the authority aforesaid, that if any slave shall fraudulently have in his her or their custody or possession, unknown to his or her owner, possessor, manager or other person who shall have the charge of such slave, any fresh beef, veal, mutton, pork or goat, in any quantity not exceeding twenty pounds weight, without giving a satisfactory account in what manner he or she became possessed thereof, such slave, upon conviction thereof before any two justices of the peace, shall be whipped in such manner as such justices shall direct, not exceeding thirty-nine stripes; and if there shall be found in his her or their custody or possession a greater quantity than twenty pounds weight of fresh beef, veal, mutton, pork or goat, and such slave shall not give a satisfactory account how he or she became possessed of such meat, then such slave, upon conviction thereof, shall suffer such punishment by whipping or confinement to hard labour as the said two justices shall direct, not exceeding fifty lashes, or one month's imprisonment.

Cruelty to cattle.

Clause 58.—And be it further enacted, by the authority aforesaid, that if any slave shall wantonly or cruelly cut, chop, shoot at or otherwise maim or injure any horned cattle, horse, gelding, mare, mule, ass or sheep, such slave shall for every such offence be tried in a summary manner before two or more justices of the peace, and the said justices shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty stripes, to be inflicted at one or more different times; and in all cases where from such treatment as above set forth any horned cattle, horse, gelding, mare, mule, ass or sheep shall be killed, or shall die within ten days after the offence committed, although the carcass or any part of the flesh thereof may not be stolen, such slave shall be tried at the court of sessions, and on conviction thereof suffer transportation or confinement to hard labour, or such other punishment as the court shall direct.

Clearing ground by fire to injury of next eſtate

Clause 59.—And whereas the practice of slaves clearing their grounds by fire, is highly dangerous to the neighbouring properties, and alarm and injury may occur for want of some restraint in that respect, be it further enacted, by the authority aforesaid, that if any injury shall arise to the owner, proprietor or possessor of one property, by a slave or slaves on the adjoining property clearing ground by fire, the slave or slaves who shall so clear ground by fire, by which injury shall result to the adjoining property, shall be proceeded against, tried and punished if found guilty, as and for a misdemeanor; and if the manager or other person then actually having charge of the property on which such fire shall originate, shall have knowledge that any slave under his charge has made any such fire for clearing his or her ground, and shall not forthwith use his best endeavours to cause the same to be extinguished, although such fire shall not cause injury to the neighbouring property, such manager or other person shall suffer such fine as any two justices of the peace shall award, not exceeding ten pounds for each offence; the complaint whereon shall be heard, determined, and the penalty, when imposed, shall be enforced in a summary manner, before any two justices of the peace.

Slaves puniſhed for crimes as white.

Clause 60.—And be it further enacted, by the authority aforesaid, that if any slave or slaves shall enter into or be concerned in any rebellion or rebellious conspiracy, or commit any murder, felony, burglary, robbery, or set fire to any house, works, outhouse, negro-house, magass-house, or other building, cane piece, grass or corn piece, or break into such house, works, outhouse, negro-house, or other building in the day-time, no person being therein, and steal thereout, or compass or imagine the death of any white person, and declare the same by any overt act, or commit any other crime not herein provided for, the commission of which by white persons, or persons of free condition, would subject them to a prosecution for felony, by the laws of these islands, or the laws of Great Britain in force here, such slave or slaves shall for every such offence or offences, upon trial and conviction thereof, in manner hereinafter mentioned, suffer death without benefit of clergy, transportation, or such other punishment as would be inflicted upon any such white or free person, according to the nature and extent of the offence.

Slaves charged with crimes tried at ſeſſions, and paid for by the public.

Clause 61.—And be it further enacted, by the authority aforesaid, that if any slave or slaves charged with any of the beforementioned offences, or any other offence whatsoever, which may render him her or them liable to the punishment of death, transportation or imprisonment for life, shall be tried in all respects in the same manner as free persons, at the court of sessions, (save and except that the evidence of any slave or slaves on oath shall in such cases be taken for and against slaves, but in no other case whatever be admissible;) and six days before the sitting of the court, the clerk of the crown and peace shall deliver a list of all the slaves so to be tried, to the president of the court, who shall thereupon appoint a barrister to act as counsel for each prisoner; and in case of an indictment between the said six days, and the sitting of the court, then and in such case counsel shall be appointed for the prisoner as early as may be, and the jury shall if they find the prisoner guilty, ascertain the value of him or her, and such value of such condemned slave shall be paid to the owner or possessor of such slave so condemned or executed, out of the public treasury of these islands, upon producing the certificate of such condemnation and appraisement, under the hand and seal of the judge presiding at the trial of such slave or slaves, and also the certificate of the provost-marshal-general of the execution, transportation or imprisonment of such slave or slaves, except it shall appear that the owner or possessor of such slave or slaves had refused to deliver up such slave or slaves as hereinafter mentioned.

Fees ſame as free perſons.

Clause 62.—And be it further enacted, by the authority aforesaid, that the fees upon such prosecutions shall be the same as are payable on the prosecution of free persons, and the court may order the same to be paid by the prosecutor, if the prosecution be frivolous or vexatious, or by the owner or owners of the slave or slaves, if he she or they have endeavoured to obstruct or prevent the course of justice against such slave or slaves, or if no such cause or causes exist, the court may order the same to be paid by the public treasurer; and in cases where any slave or slaves shall be discharged by proclamation, the fees of the officers of the court shall be paid by the public, unless the court shall direct otherwise.

Miſdemeanors tried by juſtices.

Clause 63.—And whereas there are many inferior crimes and misdemeanors committed by slaves, which ought to be punished in a summary manner, by order of two or more justices of the peace, be it further enacted, by the authority aforesaid, that all misdemeanors and inferior crimes committed by any slave or slaves, for the trial whereof no provision has been made, shall be tried in a summary manner before two or more justices of the peace, reasonable notice of the time and place of such trial being given to the owner or possessor of such slave or slaves, or his her or their attorney or attornies, or the person or persons having the care of such slave or slaves; and the said justices of the peace shall on conviction of such slave or slaves order and direct such punishment as they shall think proper, not exceeding fifty stripes or six months imprisonment, or confinement to hard labour.

Falſe evidence puniſhed.

Clause 64.—And be it further enacted, by the authority aforesaid, that in case any slave or slaves shall wilfully or corruptly give false evidence in any trial had under this act, such slave or slaves being thereof convicted, shall receive such punishment by whipping, as the justices trying the cause shall think proper to direct.

Slaves ſold for tranſportation by marſhal.

Clause 65.—And be it further enacted, by the authority aforesaid, that in all cases where any slave or slaves shall be brought to trial, and sentenced to death or transportation, and valued according to the directions of this act, the provost-marshal-general or his lawful deputy shall carry such sentence into execution, as soon after the passing thereof as the court shall direct, and in case of sentence to transportation, shall forthwith sell such slave or slaves for transportation to the best advantage in his power, and shall within the space of one month from the time of such sale, render to the treasurer or his lawful deputy a just and true account certified under his hand, of the sale or sales of such slave or slaves, and of the legal charges attending the same, and pay over to him the proceeds of such sale or sales, after deducting all legal charges as aforesaid, and also five per cent commission on the said sale or sales, and if it shall happen that the charges due to the provost-marshal-general or his lawful deputy, for the confinement and subsistence of the said slave or slaves, shall exceed the amount of the sales, the same shall be sworn to by the said provost-marshal-general or his lawful deputy, in which case the treasurer or his lawful deputy shall pay to him such further sum as shall be sufficient to satisfy his said charges, beyond the amount of such sales.

Clause

Purchaſer to give bond for the tranſportation of ſlaves within thirty days.

Clause 66.—And be it further enacted, by the authority aforesaid, that the purchaser of every slave, who by virtue of this act shall be sold for transportation by the provost-marshal-general, or his lawful deputy, shall immediately after such sale enter into a bond, with two sufficient securities to our Sovereign Lord the King, in the penal sum of five hundred pounds for every such slave so purchased, with a condition thereunto annexed, that every such slave shall be transported off these islands within thirty days after the date of such bond, and shall in the mean time be kept in close confinement by the provost-marshal-general, at the expense of the purchaser, which bond shall be taken by the provost-marshal-general or his lawful deputy, at the expense of the purchaser, and be filed among the records in the office of the clerk of the crown of the said island.

Shall make oath to tranſport them.

Clause 67.—And be it further enacted, by the authority aforesaid, that every such purchaser of any slave so directed to be sold for transportation as aforesaid, shall at the time of executing such bond as aforesaid, also make oath in writing on some part of the said bond, before the provost-marshal-general or his lawful deputy, (either of whom is hereby authorized and required to administer the same,) that every slave so purchased by him shall be transported according to the sentence, (death or dangers of the seas excepted,) and that the slave so purchased shall not with his knowledge, privity or consent be relanded in these islands.

Penalty on marſhal delivering

Clause 68.—And be it further enacted, by the authority aforesaid, that the provost-marshal-general or his lawful deputy shall not deliver over to any purchaser or purchasers any slave so sold for transportation, until such purchaser shall be in all things prepared to carry the said sentence of transportation into effect, according to the condition of his said bond; and in case such purchaser shall not perform the condition of his said bond, within the thirty days before limited, the said bond shall be deemed forfeited, and the slave to have been transported shall also become forfeited to the crown, and be resold for transportation by the provost-marshal-general or his lawful deputy, in the same manner and under the like penalties as are hereinbefore enacted; and the net proceeds of such resale shall be paid over to the treasurer for the use of the public.

Slaves found at large reſold

Clause 69.—And be it further enacted, by the authority aforesaid, that every slave sold for transportation by virtue of this act, who shall be found at large within these islands at any time after such slave shall have been delivered by the provost-marshal-general to any purchaser for the purpose of being transported as hereinbefore directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of His Majesty's justices of the peace; and if it shall appear to the satisfaction of such justice that such slave has been formerly sold for transportation by virtue of this act, such justice shall by warrant under his hand and seal direct such slave to be delivered to the provost-marshal-general, or his lawful deputy, to be resold for transportation only; and the monies arising from such sale after deducting a commission of five pounds per centum, and all necessary expenses, shall be paid over one moiety to the person apprehending such slave, and the other moiety to the treasurer or his lawful deputy.

Slaves returning ſuffer death.

Clause 70.—And be it further enacted, by the authority aforesaid, that if any slave who may have been transported under the directions of any other act heretofore in force or who shall be hereafter transported under the directions of this act, for any crime to which such punishment shall be attached, shall wilfully return from transportation, such slave shall upon conviction be deemed guilty of felony without benefit of clergy, and shall suffer death accordingly.

Perſons bringing them back.

Clause 71.—And be it further enacted, by the authority aforesaid, that if the master of any ship or vessel, or any other person whatsoever, shall knowingly and wilfully bring back to these islands any slave who may have been transported from these islands under and by virtue of any other act heretofore in force, or who shall hereafter be transported under the directions of this act, such person being convicted thereof by bill, plaint or information in the court of grand sessions of the peace, or other court of record, shall forfeit the sum of three hundred pounds for every slave so brought back, one moiety whereof shall be to our sovereign lord the King, his heirs and successors, for and towards the support of the government of these islands, and the other moiety to the party or parties at whose suit or complaint such person was convicted; and shall also suffer imprisonment at the discretion of the court for any space of time not exceeding twelve, or less than three months, without bail or mainprize.

Execution how carried into effect.

Clause 72.—And be it further enacted, by the authority aforesaid, that in all cases where the punishment of death is to be inflicted, the execution shall be publicly performed with due solemnity, and care shall be taken by the provost-marshal-general, or his lawful deputy, that the criminal shall be free from intoxication at the time of his or her execution, under the penalty of twenty-pounds; and the mode of such execution shall be hanging by the neck, and no other, and the body shall be afterwards disposed of as the court shall direct.

Buying ſugar from ſlaves.

Clause 73.—And be it further enacted, by the authority aforesaid, that if any person or persons whomsoever shall buy, barter or truck for or receive, by any means, of or from any slave or slaves, sugar, cotton, rum, melasses, cocoa, coffee or other goods, or merchandize of any sort, except firewood, fish, poultry, goats, hogs, grass, fruit and vegetables of any sort, without the knowledge or consent of the owner or possessor of such slave or slaves, signified by a note in writing, specifying the nature and quantity of goods, or by sending some white or free person with such slave or slaves, upon complaint made to any justice of the peace, the person or persons so offending shall be bound to his her or their good behaviour, and to appear at the next sessions of the peace to be held for these islands, and upon conviction thereof, such person or persons shall be fined in a sum not exceeding fifty pounds, or double the value of the goods so clandestinely bought.

Buying ſtolen goods.

Clause 74.—And be it further enacted, by the authority aforesaid, that if any person or persons shall buy, barter or truck for or receive, by any unlawful means, from any slave or slaves, any goods or chattels whatsoever, knowing the same to be stolen, although the principal felon or felons is or are not known, or convict, such person or persons shall and may be prosecuted at the court of grand sessions of the peace, and upon conviction shall be adjudged to be guilty of a misdemeanor, and fined in any sum not exceeding one hundred pounds current money of these islands, nor less than twenty pounds like money, and be imprisoned also for any time not exceeding one year; and in case such offender shall neglect, refuse or be unable to pay the fine immediately, he or she shall undergo such corporal punishment, instead of the said fine, by whipping, as the court shall direct; and upon conviction of the like offence a second time, the person so offending shall be deemed a felon, and punished accordingly.

Conviction of miſdemeanor bar to felony.

Clause 75.—And be it further enacted, by the authority aforesaid, that if any person shall be convicted of a misdemeanor for buying bartering or trucking with any slave, contrary to this act, such conviction shall be a bar to any other prosecution for being accessary to the felony committed by the principal, if the principal be afterwards convicted; and any lost or stolen goods found on any person or persons shall be deemed evidence against him her or them that they bought, trucked or bartered for such goods of or with a slave, so far as to make him her or them liable to a misdemeanor by virtue of this act, unless such person or persons shall give sufficient evidence to the court how he she or they came by the goods; and it shall not be any ways necessary in the indictment or information for such misdemeanor to name particularly the slave or slaves of whom such goods were bought, had, bartered, trucked or received, but the laying it to be from a slave unknown shall be sufficient.

Selling ſtrong liquors to ſlaves.

Clause 76.—And be it further enacted, by the authority aforesaid, that no retailer or retailers of strong liquors, shall sell any liquor or liquors of what nature or quality soever, to any slave or slaves, under the penalty of five pounds current money for every such offence so committed, and the forfeiture of his or her licence; and all justices of the peace and constables are hereby required and empowered to disperse all unusual concourses of slaves, in or about the towns or elsewhere, and to take up or cause to be taken up all slaves who shall be found armed with clubs or other offensive weapons, or playing at dice or other unlawful sports, or drinking in the public-houses or other places; and such slaves so taken up shall be whipped by order of the justice at his discretion, so as such whipping does not exceed thirty-nine stripes.

Warrant againſt ſlaves ſerved on owner.

Clause 77.—And be it further enacted, by the authority aforesaid, that in future whenever a warrant shall be granted by one or more of His Majesty's justices of the peace against any slave, if the said slave cannot be immediately taken on the said warrant, the owner, possessor, attorney or manager of such slave shall be served with a copy of the said warrant, and if he she or they do not bring the said

slave

Saint Vincent

slave before a justice to be dealt with according to law on the said warrant, and it should be afterwards proved, that the owner, possessor, attorney, or manager of such slave wilfully detained or concealed the said slave, he she or they shall forfeit the sum of two hundred pounds; and in case the slave be afterwards apprehended and sentenced to death, transportation or imprisonment for life, the owner of such slave is hereby debarred from having or receiving from the public treasury of these islands any consideration or remuneration for any slave so sentenced as aforesaid.

Warrants duly executed

Clause 78.—And be it further enacted, by the authority aforesaid, that all warrants from any justice or justices of the peace directed to any constable or constables, or to the provost-marshal-general or his lawful deputy, to make levies, or for any other matter whatsoever, shall be duly executed by such constable or constables, the provost-marshal-general or his lawful deputy, under the penalty of ten pounds current money, to be levied in manner aforesaid, by warrant of any justice or justices, whose former warrant he or they shall neglect or refuse to execute; and if the provost-marshal-general or his lawful deputy shall neglect or refuse to perform or execute any of the duties prescribed unto him by this act, and for which no penalty is declared, he shall forfeit and pay the sum of fifty pounds current money for each neglect or refusal, to be levied as aforesaid.

Juſtice refuſing puniſhed.

Clause 79.—And be it further enacted, by the authority aforesaid, that if any justice of the peace shall refuse or neglect upon application made to him, immediately to take proper measures to apprehend and bring to trial any slave or slaves whatsoever, for felony or any other crime of a lower nature, charged on any slave or slaves, such justice shall forfeit fifty pounds current money of these islands, to be recovered by action, bill, plaint or information, in any court of record within these islands, or by indictment or information before the court of grand sessions of the peace, one moiety to the prosecutor or informer, and the other moiety to His Majesty, his heirs and successors, for the public uses of these islands.

Fees

Clause 80.—And be it further enacted, by the authority aforesaid, that all justices and constables, and the clerk of the crown and provost-marshal-general, or their lawful deputies, shall be entitled to demand and receive the same fees as are prescribed for similar duties by the several dockets now in force, except otherwise provided for by this act; and it shall be lawful for not less than two justices, at their discretion, in cases of poverty or otherwise, to order and direct the fees of the officers which may be incurred in cases brought before them, to be paid by the public, which they shall certify under their hands, to the treasurer, or to his lawful deputy.

Fines how levied.

Clause 81.—And be it further enacted, by the authority aforesaid, that all fines and forfeitures laid by this act, where no particular method of recovery of the forfeitures mentioned in this act is directed, and the same do not amount to more than twenty pounds current money, the same shall be recovered by warrant from any one justice of the peace directed to the provost-marshal-general, or his lawful deputy, to be levied on the goods and chattels of the offender; which goods and chattels shall be immediately carried to the next town, and sold by public sale, at the expence of the offender; and in default of sufficient goods and chattels of the offender to be found, then on the body of the offender, who shall be imprisoned until satisfaction be made of the forfeiture and fees; and if the forfeitures amount to more than twenty pounds currency, then the same shall be levied by a warrant from two justices of the peace in manner aforesaid, of which proceedings the justice or justices shall from time to time make a record, and return the same into the office of the clerk of the crown, under his or their hands and seals, four days before the sessions next following; and each justice, for hearing the trial and making up the record as aforesaid, shall and may receive twelve shillings currency, and no more, and the clerk of the crown one shilling and sixpence for filing, and the marshal, or his lawful deputy, shall, for making each levy of fines and forfeitures of twenty pounds and under, receive ten per cent, and for fines and forfeitures above twenty pounds five per cent.

Fines how applied.

Clause 82.—And be it further enacted, by the authority aforesaid, that all fines and forfeitures imposed by this Act, and not herein before disposed of, shall be paid into the public treasury of these islands, and to be to the use of His Majesty, his heirs and successors, towards defraying the public charges of the same.

Act in force for five years.

Clause 83.—And be it further enacted, by the authority aforesaid, that this act shall continue and be in force for five years from the publication thereof, and from thence until the next quarterly meeting of the legislature.

Dated in Kingstown, the sixth day of June, in the first year of the reign of our Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith; and the year of our Lord one thousand eight hundred and twenty.

John Dalzell, Speaker.

Passed the Assembly this 6th day of June 1821.

Herbert P. Cox, Clerk of the Assembly.

Passed the Council this 5th day of September 1821.

Andrew Rose, Clerk of the Council.

Assented to by his Excellency the Governor-in-Chief this 11th day of September 1820.

Andrew Rose, Public Secretary.

CHARLES (GREAT SEAL) BRISBANE.

Saint Vincent, duly published in Kingstown, this eleventh day of September, one thousand eight hundred and twenty, and in the first year of His Majesty's reign.

John G. Nanton, Provost-Marshal-General.

TOBAGO.

N° 17.—*AN ACT to repeal an Act, intituled, "An Act to compel Persons manumitting Slaves in this Island, to provide for their support, and to restrict Manumissions of Slaves belonging to other Islands;" and to substitute a new Law in lieu thereof.*

Tobago.

WHEREAS circumstances existed at the passing of the said recited act, which then rendered it expedient, but which now no longer remain to impede the manumission of slaves;

Be it and it is hereby enacted, by His Majesty's most dutiful and loyal subjects, his Excellency Sir Frederick Philipse Robinson, Captain-general and Governor in chief in and over the island of Tobago and its dependencies, the Council and General Assembly of the same, that from and after the publication hereof, the said recited act shall be and is hereby declared to be repealed.

Whereas several persons have paid into the public treasury of this island, the amount directed to be paid under the first clause of the said recited act, upon lodging their respective manumissions, and it would be unjust to deprive such persons of the claim which such payment gave them upon the public of this colony by way of annuity for the sum so paid;

Be it and it is hereby enacted, by the authority aforesaid, that the following persons; viz. Mary Ross, Ruth Steel, Frances Halket, Eliza Smith, Lydia Nesbitt, Flora Robertson, Martha Alexander, Jenny Harris and Fanny Plannel, who appear by the treasury books to have lodged the sum of one hundred pounds each, as directed by the said clause, shall be entitled to receive from the public treasurer of this island, who is hereby authorized and directed to pay the same, out of any unappropriated public money in his hands, at and after the rate of eight pounds currency per annum each, for and during the natural lives respectively of the said Mary Ross, Ruth Steel, Frances Halket, Eliza Smith, Lydia Nesbitt, Flora Robertson, Martha Alexander, Jenny Harris and Fanny Plannel, any thing herein contained to the contrary thereof notwithstanding.

John Robley, President of the Council.

Passed the Council the 9th January 1821.

Samuel Hall, Clerk of the Council.

Elphinstone Piggott, Speaker of the House of General Assembly.

Passed the House of General Assembly this 18th day of January 1821.

James Wilcock, Clerk of General Assembly.

Assented to this 9th day of February 1821.

T. P. Robinson, Governor.

Duly proclaimed by me this 10th day of February 1821.

J. M. Collier, Deputy Provost-Marshal.

TOBAGO.

Tobago.

N° 18.—*AN ACT to continue for a further time an Act, intituled, "An Act to "regulate the conduct and to fix the value of the labour of Negroes, acting as "Porters and Labourers in the Towns of Scarborough and Plymouth."*

Preamble.

WHEREAS an act, intituled, "An Act to regulate the conduct and to fix the "value of the labour of Negroes, acting as Porters and Labourers in the Towns of "Scarborough and Plymouth," will shortly expire; and it is expedient that the said recited act should further continue and remain in force; be it therefore and it is hereby enacted by His Majesty's most dutiful and loyal subjects, his Excellency Major-general Sir Frederick Philipse Robinson, Captain-general and Governor-in-chief in and over the island of Tobago, and its dependencies, the Council and General Assembly of the same, that the said hereinbefore recited act shall continue in force for three years from the publication of this act, and from thence until the end of the next meeting of the legislature.

(signed) *Elphinstone Piggott*, Speaker of the House of Gˡ Assembly.

Passed the House of Genˡ Assembly this 11th day of October 1821.
(signed) *James Wilcock*, Clerk of Genˡ Assembly.
(signed) *Jno. Robley*, President of the Council.

Passed the Council the 12th October 1821.
(signed) *Samuel Cox*, Acting Clerk of Council.

I assent to this Bill, (signed) *F. P. Robinson*, Governor.

Duly proclaimed by me this 15th October 1821,
(signed) *S. M. Collier*, Dʸ P. M.

TOBAGO.

N° 19.—*AN ACT to place a Sum of Money at the disposal of the Committee appointed for the purpose of receiving Tenders for a Vessel to go to Cumana, to bring up certain Slaves who have absented themselves from the service of their Owners.*

WHEREAS sundry negro slaves lately left the said island, and information has been received from the governor of Cumana that the said slaves have been taken up by the civil authorities of that place, and are at present in the gaol of that city:

And whereas it is expedient and highly necessary to prevent negroes and other slaves from leaving the said colony, or absenting themselves from the service of their owners, (a practice which has lately become frequent,) and to bring them to justice with all convenient speed:

And whereas the committee appointed for the purpose of receiving tenders for a vessel to go to Cumana have contracted with the owner of a vessel for that purpose; but it is necessary to place a certain sum of money at the disposal of the said committee for the purpose of redeeming the said slaves, and paying the expenses attendant on bringing them up, and during their confinement in gaol;

We, therefore, His Majesty's most dutiful and loyal subjects, his Excellency Sir Frederick Philipse Robinson, Knight, Commander of the most honourable Order of the Bath, Captain-general and Governor-in-chief in and over the island of Tobago and its dependencies, the Council and General Assembly of the said island of Tobago, do humbly pray His most Excellent Majesty that it may be enacted, and be it enacted accordingly by the authority aforesaid, that immediately after the passing hereof the honorable F. W. Nichol, the chairman of the said committee, shall be and he is hereby entitled to receive a warrant (signed in council) under the hand of his excellency the Governor or Commander-in-chief for the time being, directed to the public treasurer, for the payment of five hundred pounds current money of the said island, for the purposes aforesaid, which the said public treasurer is hereby required to pay out of any monies in his hands not specifically appropriated to any other purpose or purposes; and in case after discharge of the aforesaid expenses any

Tobago. surplus should remain in the hands of the said committee, such surplus shall be returned by them to the public treasurer for the public uses of the colony.

(signed) *Christopher Irvine*,
Speaker of the House of General Assembly.

Passed the House of General Assembly, this 24th day of January 1823.
James Wilcock, Clerk of General Assembly.
William Brasnell, President of the Council.

Passed the Council, this 25th day of January 1823.
(signed) *T. B. Manning*, Clerk of the Council.

I assent to this Bill,
(signed) *F. P. Robinson*, Governor.

Duly proclaimed by me, this 27th day of January 1823,
(signed) *J. M. Collier*, Dep. Pro. Marshal.

God save the King.

TOBAGO.

N° 20.—*AN ACT to empower the Magistrates to take charge of and confine Lunatic and Insane Persons, and to provide for their Maintenance and Support, and to prevent abuse in the manumission of Slaves.*

Preamble. WHEREAS there are sometimes persons who by lunacy or other causes are so far disordered in their senses that it may be dangerous to permit them to go abroad: And whereas it is necessary and expedient to prevent persons from manumitting slaves under such circumstances, or slaves who by old age and other causes are prevented from obtaining a livelihood;

Clause 1. Be it therefore enacted, by His Majesty's most dutiful and loyal subjects, his Excellency Sir Frederick Philipse Robinson, Knight, Commander of the most honourable Military Order of the Bath, Captain General and Governor-in-chief in and over the island of Tobago and its dependencies, the Council and General Assembly of the same; and it is hereby enacted by the authority aforesaid, that from and after the passing of this Act, it shall be lawful for two or more justices of the peace, where such lunatic or insane person shall be found, by warrant directed to any one or more constables, to cause such persons to be apprehended and brought up before them to be examined, and if necessary, the said justices are hereby authorized to order them to be confined in some secure place within the town of Scarborough, as such justices shall under their hands and seals direct and appoint.

Clause 2. Be it, and it is hereby further enacted, by the authority aforesaid, that all reasonable charges of keeping, maintaining and curing such persons during such restraint (which shall be during such time only as such lunacy or insanity shall continue) shall be satisfied and paid, (such charges being first proved upon oath and certified by two justices,) and examined and passed by the committee of public accounts, in the same manner that accounts against the public are paid and satisfied.

Clause 3. And be it, and it is hereby enacted, by the authority aforesaid, that the justices committing such lunatics, or any other justices, may visit any house where such lunatics shall be confined, for the purpose of inquiring whether the said lunatics be sufficiently provided with food and other comforts, and no person having charge of any lunatic or lunatics, shall suffer him, her or them to go abroad without the permission of a visiting justice or justices first had and obtained in writing.

Clause 4. Be it, and it is hereby enacted, by the authority aforesaid, that nothing in this act contained shall be construed to restrain or abridge the power of the King or Lord Chancellor, nor shall restrain or prevent any friend from taking such lunatic or insane person under his or their own care and protection.

Clause 5. And whereas persons may manumit slaves who in consequence of lunacy, old age, contagious diseases, and other bodily infirmities are unable to provide for their own maintenance, and to avoid paying the public taxes and supporting them when no longer able to work; Be it therefore, and it is hereby enacted, by the authority aforesaid, that no person or persons shall be considered free, or legally manumitted, unless the deed of manumission by which such freedom or emancipation is to take effect, be indorsed by the signatures of three medical practitioners

Tobago.

tioners of physic in this island, certifying that the person or persons intended therein to be manumitted has or have been thoroughly and minutely examined by them, and that the said person or persons is or are of sound mind and in good bodily health, and perfectly capable to work for their own maintenance and support; provided nevertheless, that nothing herein contained shall operate to restrain persons manumitting infants and children under the age of ten years.

Clause 6. Be it, and it is hereby enacted by the authority aforesaid, that the public register of deeds of this island shall not receive and record deed or deeds of manumission, unless so certified and indorsed in the above manner, under the penalty of twenty pounds current money of this island, to be recovered in any court of record in this island by indictment, information or other process.

Passed the House of General Assembly, this 12th day of April 1823.
James Wilcock, Clerk of General Assembly.
Christʳ Irvine, Speaker of the House of General Assembly.

Passed the Council this 15th day of April.
T. B. Manning, Clerk of the Council.
Wᵐ Brasnell, President of the Council.

I assent to this Bill,
F. P. Robinson, Governor.

Duly proclaimed this 17th day of April 1823.
J. M. Collier, D. P. Marshal.

God save the King.

VIRGIN ISLANDS.

Nº 21.—*AN ACT for meliorating the Condition of the Free Coloured and Free Black Inhabitants of these Islands.*

Virgin Islands.
Tortola.

WHEREAS an act was passed by the legislature of these islands on the sixth day of February one thousand seven hundred and eighty-three, intituled, "An Act "for the good government of Negroes and other Slaves, for preventing the harbouring and encouragement of Runaway Slaves, and for restraining and punishing "all Persons who shall abet the pernicious practices of trafficking with Slaves for "any of the staple or other commodities of these Islands;" wherein amongst other things it is enacted, in the thirty-second clause of the said recited act, that for the future no free negro, indian, mustee or mulatto shall be owner or possessor of more than eight acres of land, and in no case be deemed a freeholder; and it is also enacted, by the thirty-seventh clause of the said in part recited act, that no free negro, mulatto, mustee or indian, after the publication of the said act, should in future purchase or acquire by bequests, or by any other means, or be at any one time possessor, renter or employer of more than fifteen slaves; and it is also enacted, by the thirty-ninth clause of the act now in recital, that if any free person shall presume to strike any white person (servant or otherwise,) he or she shall by order of any one justice, on proof of such striking or beating, be severely whipped at the discretion of the magistrate for the first offence; for the second offence, whipped and imprisoned at the discretion of the justice; and for the third offence, suffer such punishment as is in the said act provided for slaves committing the like offence: And whereas it is expedient and proper that the said clauses of the said act should in the particulars aforesaid be repealed; We therefore Your Majesty's most loyal and obedient subjects, the Captain General and Governor-in-Chief of Your Majesty's islands of Saint Christopher, Nevis, Anguilla and the Virgin Islands, and the Council and Assembly of the said Virgin Islands, humbly pray Your Most Sacred Majesty that it may be enacted and ordained, and be it and it is hereby enacted and ordained by the authority aforesaid, that the said several clauses of the said act in the particulars hereinbefore recited be, and the same are hereby repealed and made void to all intents and purposes whatsoever; and be it, and it is also hereby enacted and ordained by the authority aforesaid, that the said free coloured and free black inhabitants of these islands shall from henceforth after the publication of this act, hold, occupy, possess and enjoy all their properties, real and personal, of whatever nature, kind or quality soever, and that they and every of them shall be competent to transmit the same to their and every of their legal representative or representatives, or others, at his and their free will, in as full and ample manner as any subject of His Majesty within these islands might or could do, be the same acquired by gift, grant, purchase, bequest, devise or any otherwise, any law, custom or usage of these islands, to the contrary notwithstanding.

Clause 2. And whereas the said free coloured and free black inhabitants of the said Virgin Islands ought of right to be represented in the Commons House of Assembly of these islands; be it and it is hereby further enacted and ordained, by the authority aforesaid, that every free coloured and free black man, professing the Christian religion, being a British-born subject, having attained the age of twenty-one years, and who shall have been actually possessed, at least twelve months before the day of election, of ten acres of land in fee-simple or fee-tail for the term of his own life, or for the term of another person's life, or of any lands in any of the towns within the said Virgin Islands, having a house, storehouse or any other building thereon erected of the clear yearly value of ten pounds at least, shall be capable of voting for and electing one able and sufficient white freeholder (possessing the qualification requisite to enable any other representative to a seat in the House of Assembly) from henceforth to represent the said free coloured and free black inhabitants in the said Assembly of the Virgin Islands, and that the said election shall take place at the court-house in the Road Town of the said island of Tortola, on the day succeeding the day on which the poll for electing the fifteen members to serve in the said House of Assembly shall have been closed, except the same shall happen to fall on a Sunday, then the said election shall take place on the day after the poll for such election, not to be opened before the hour of nine o'clock in the forenoon, nor closed before one of the clock in the afternoon of the day on which the same shall take place.

Clause 3. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the said free people of colour and free black inhabitants shall be informed of the time of such election by a notice in writing put up in the most public place in each division and town in the said Virgin Islands by the magistrate, who may from time to time be appointed the returning officer for taking the poll, or by any constable to whom said notice shall be sent by such returning officer, seven days before the day of election, which shall be deemed a sufficient notice; and in all other respects this act shall be considered and taken, and be subject to the same regulations as are mentioned and contained in the Assembly Act for electing, re-electing and choosing members in case of the absence or death, or general election triennially, as is therein mentioned.

Clause 4. And be it further enacted by the authority aforesaid, that nothing in this act shall be deemed, considered, or construed to have or be of any force, effect or authority whatsoever respecting the free coloured and free black inhabitants being represented in the assembly of the said Virgin Islands, until the same shall have met with His Majesty's royal concurrence and approbation, and until the same shall be duly certified in these islands; but the said suspension is not to extend to the repealing clauses mentioned in the other parts of the said bill.

Dated at Saint Christopher, the 31st day of August, in the 58th year of his Majesty's reign, and in the year of our Lord 1818,

Passed the House of Assembly the 25th day of July 1818.
Chas Lloyd, Clerk.

Passed the Board of Council the 31st day of July 1818.
By Command, (signed) *Wm N. Allen*, Clerk of Council.
Mark. D. Trench, Speaker,

(signed) THOMAS (L. S.) PROBYN.

THIS BOOK

IS TO BE PRESERVED IN

THE OFFICE OF

HIS MAJESTY'S

CHANCELLOR OF THE EXCHEQUER

FOR IRELAND.

1824.